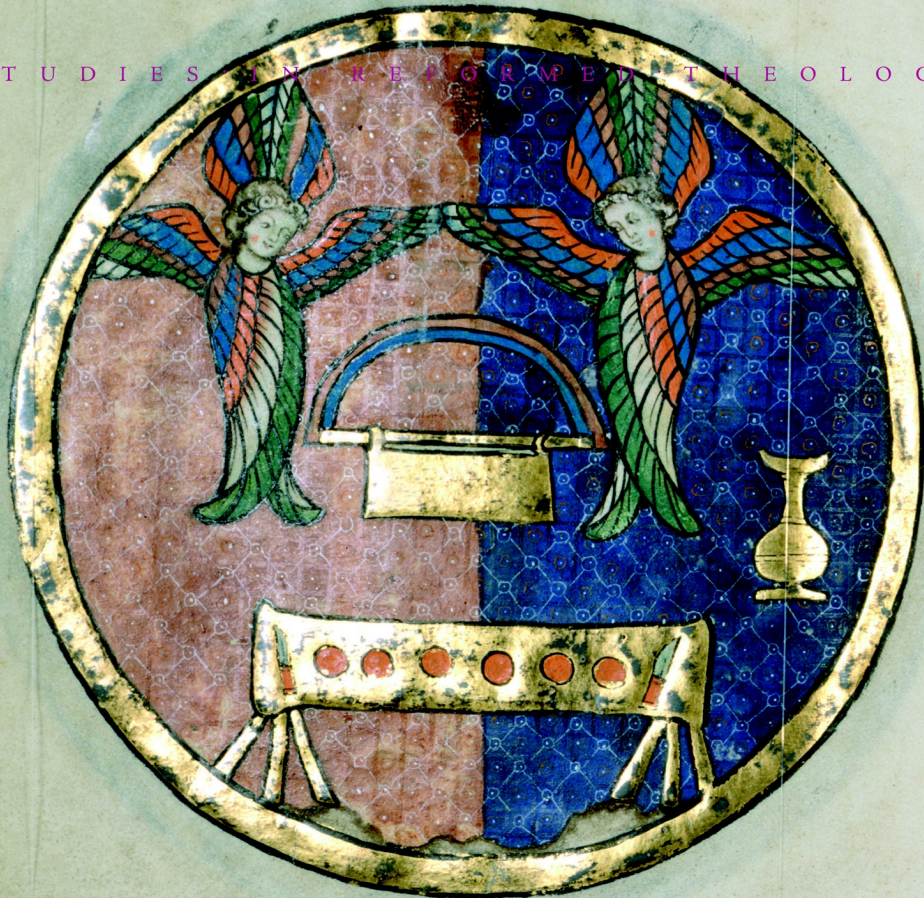


STUDIES IN REFORMED THEOLOGY



COVENANT:
A VITAL ELEMENT OF
REFORMED THEOLOGY

Biblical, Historical and Systematic-Theological Perspectives

Edited by

HANS BURGER, GERT KWAKKEL
& MICHAEL MULDER

Series Editor: EDDY VAN DER BORGH

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Systematic-Theological Perspectives*

Edited by

Hans Burger
Gert Kwakkel
Michael Mulder



BRILL

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Abbreviations

AB	The Anchor Bible
ACEBTSup	Amsterdamse Cahiers voor Exegese van de Bijbel en zijn Tradities – Supplement Series
AGJU	Arbeiten zur Geschichte des antiken Judentums und des Urchristentums
AnBib	Analecta biblica
ANEM	Ancient Near East Monographs/Monografías sobre el Antiguo Cercano Oriente
ANRW	Hildegard Temporini and Wolfgang Haase, eds. <i>Aufstieg und Niedergang der römischen Welt: Geschichte und Kultur Roms im Spiegel der neueren Forschung</i> . Part 2, <i>Principat</i> . Berlin: De Gruyter, 1972–
AOTC	Abingdon Old Testament Commentaries
ArBib	The Aramaic Bible
ARMT	Archives royales de Mari: Transcriptions et traductions
ATD	Das Alte Testament Deutsch
AYBRL	The Anchor Yale Bible Reference Library
BBB	Bonner biblische Beiträge
BBRSup	Bulletin for Biblical Research, Supplements
BC	Biblicher Commentar über das Alte Testament
BDF	Blass, Friedrich, Albert Debrunner, and Robert W. Funk. <i>A Greek Grammar of the New Testament and Other Early Christian Literature</i> . Chicago: University of Chicago Press, 1961
BETL	Bibliotheca Ephemeridum theologicarum Lovaniensium
BHQ	Biblia Hebraica Quinta
BHS	Biblia Hebraica Stuttgartensia
BHTh	Beiträge zur historischen Theologie
BibOr	Biblica et Orientalia
BJs	Brown Judaic Studies
BKAT	Biblicher Kommentar Altes Testament
BSHST	Basler und Berner Studien zur historischen und systematischen Theologie
BSIH	Brill's Studies in Intellectual History
BZABR	Beihefte zur Zeitschrift für altorientalische und biblische Rechtsgeschichte
BZAW	Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft
BZNW	Beihefte zur Zeitschrift für die neutestamentliche Wissenschaft

CAD	<i>The Assyrian Dictionary of the Oriental Institute of the University of Chicago</i> . Chicago: The Oriental Institute of the University of Chicago, 1956–2006
CAT	Commentaire de l'Ancien Testament
CBET	Contributions to Biblical Exegesis and Theology
CHANE	Culture and History of the Ancient Near East
CNT	Commentaire du Nouveau Testament
CNT-3	Commentaar op het Nieuwe Testament, third series
CO	<i>Ioannis Calvini opera quae supersunt omnia</i> . [...], edited by Wilhelm Baum et al., Braunschweig: Schwetschke, 1863–1900
CO.R	<i>Ioannis Calvini opera omnia denuo recognita</i> [...], edited by Helmut Feld et al., Geneva: Droz, 1992–
ConBOT	Coniectanea Biblica Old Testament Series
ConCom	Concordia Commentary
cos	William W. Hallo, ed. <i>The Context of Scripture</i> . 4 vols. Leiden: Brill, 1997–2017
COT	Commentaar op het Oude Testament
CR	Corpus Reformatorum
CRINT	Compendia Rerum Iudaicarum ad Novum Testamentum
CRS	Willem à Brakel. <i>The Christian's Reasonable Service</i> . Edited by J.R. Beeke. Translated by B. Elshout. 4 vols. Grand Rapids: Reformed Heritage, 1992
CSRTh	Columbia Series in Reformed Theology
CTH	<i>Catalogue des textes hittites</i> . Emmanuel Laroche. Paris: Klincksieck, 1971
EA	El-Amarna tablets. According to the edition of Jorgen A. Knudtzon. <i>Die el-Amarna-Tafeln</i> . Leipzig: Hinrichs, 1908–1915. Repr., Aalen: Zeller, 1964. Continued in Anson F. Rainey, <i>El-Amarna Tablets</i> , 359–379. 2nd rev. ed. Kevelaer: Butzon & Bercker, 1978
EWNT	Horst Balz and Gerhard Schneider, eds. <i>Exegetisches Wörterbuch zum Neuen Testament</i> . 3 vols. Stuttgart: Kohlhammer, 1978–1983
FAT	Forschungen zum Alten Testament
FB	Forschung zur Bibel
FKDG	Forschungen zur Kirchen- und Dogmengeschichte
FRLANT	Forschungen zur Religion und Literatur des Alten und Neuen Testaments
HALAT	Ludwig Koehler et al. <i>Hebräisches und aramäisches Lexikon zum Alten Testament</i> . 6 vols. Leiden: Brill, 1967–1996
HAT	Handbuch zum Alten Testament
HBW	<i>Heinrich Bullinger Werke</i> , edited by Joachim Staedtke et al. Zurich: tvz, 1972–
HK	Handkommentar zum Alten Testament

HNT	Handbuch zum Neuen Testament
HSM	Harvard Semitic Monographs
HThKAT	Herders Theologischer Kommentar zum Alten Testament
HW	Johannes Friedrich and Annelies Kammenhuber. <i>Hethitisches Wörterbuch: Zweite, völlig neubearbeitete Auflage auf der Grundlage der edierten hethitischen Texte</i> . 3 vols. Indogermanische Bibliothek 2. Heidelberg: Carl Winter, 1984–
ICC	The International Critical Commentary
Inst.	Institutio Christianae religionis. Jean Calvin. Geneva 1559 [etc.]
JSJSup	Supplements to the Journal for the Study of Judaism
JSNTSup	Journal for the Study of the New Testament Supplement Series
JPSTC	Jewish Publication Society – The JPS Torah Commentary
JSOTSup	Journal for the Study of the Old Testament Supplement Series
KAT	Kommentar zum Alten Testament
KEK	Kritisch-exegetischer Kommentar über das Neue Testament
KHC	Kurzer Hand-Commentar zum Alten Testament
LAI	Library of Ancient Israel
LCL	Loeb Classical Library
LSJ	Henry George Liddell, Robert Scott, and Henry Stuart Jones. <i>A Greek-English Lexicon</i> . Oxford: Clarendon, 1996
NIB	The New Interpreter's Bible
NICNT	The New International Commentary on the New Testament
NICOT	The New International Commentary on the Old Testament
NIDOTTE	Willem VanGemeren, ed. <i>New International Dictionary of Old Testament Theology & Exegesis</i> . 5 vols. Carlisle: Paternoster 1997
NIV	New International Version
NIVAC	The NIV Application Commentary
NSBT	New Studies in Biblical Theology
NTL	The New Testament Library
OBO	Orbis Biblicus et Orientalis
OTL	The Old Testament Library
OTS	Old Testament Studies
OtSt	Oudtestamentische studiën
PatSor	Patristica sorbonensia
PBM	Paternoster Biblical Monographs
POuT	De prediking van het Oude Testament
QGP	Quellenschriften zur Geschichte des Protestantismus
R5AS	Refo500 Academic Studies
RHT	Reformed Historical Theology

SAA	State Archives of Assyria
SBAB	Stuttgarter biblische Aufsatzbände
SBB	Stuttgarter biblische Beiträge
SBL	Society of Biblical Literature
SBLDS	Society of Biblical Literature Dissertation Series
SBOT	M.J. Paul and G. van den Brink. <i>Studiebijbel Oude Testament</i> . 12 vols. Veenendaal: Centrum voor Bijbelonderzoek, 2004–2015
SBS	Stuttgarter Bibelstudien
SBT	Studies in Biblical Theology
SDGSTh	Studien zur Dogmengeschichte und systematischen Theologie
SHCT	Studies in the History of Christian Traditions
SRTh	Studies in Reformed Theology
SSN	Studia Semitica Neerlandica
STAT.H	Suomalaisen tiedeakatemiaan toimituksia Annales academiae scientiarum fennicae – Sarja B Humaniora
SubBi	Subsidia biblica
THAT	Ernst Jenni and Claus Westermann, eds. <i>Theologisches Handwörterbuch zum Alten Testament</i> . 2 vols. Munich: Kaiser, 1971–1976
ThWAT	G. Johannes Botterweck and Helmer Ringgren, eds. <i>Theologisches Wörterbuch zum Alten Testament</i> . 10 vols. Stuttgart: Kohlhammer, 1970–2000
TOTC	Tyndale Old Testament Commentaries
TSRPT	Texts and Studies in Reformation and Post-Reformation Thought
TWNT	Gerhard Kittel and Gerhard Friedrich. <i>Theologisches Wörterbuch zum Neuen Testament</i> . 10 vols. Stuttgart: Kohlhammer, 1933–1978
VTSup	Supplements to Vetus Testamentum
WAW	Writings from the Ancient World
WBC	Word Biblical Commentary
WCoF	Westminster Confession of Faith
WLC	Westminster Larger Catechism
WMANT	Wissenschaftliche Monographien zum Alten und Neuen Testament
WSC	Westminster Shorter Catechism
WUNT	Wissenschaftliche Untersuchungen zum Neuen Testament
ZBK.AT	Zürcher Bibelkommentare – AT
ZBRG	Zürcher Beiträge zur Reformationsgeschichte

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Introduction

Hans Burger, Gert Kwakkel and Michael Mulder

The biblical theme of the covenant appears to be a crucial motif in Reformed theology. It connects questions about identity and individual choices today to the grand narrative of the history of God's revelation. Precisely this connection has always been vital to Reformed theology. A clear understanding of the biblical theme of covenant may likewise be expected to be vital in building bridges between God's revelation in the past and the actual question of how to live with him today.

In spite of this, one may easily doubt whether it is really worthwhile to ask for the reader's attention to the theme of covenant, in the present context. At first sight, considerations about actual developments in society seem to be more relevant for theologians to reflect on than the way God revealed himself in a history, to a people one might have difficulties connecting with. It is precisely these doubts that the editors of this volume would like to challenge.

This volume presents different perspectives on the covenant, which will be accounted for in this introduction. Still, there is a clear thread. The motif of the covenant highlights God's faithfulness towards his people, which is actualized in each generation. The biblical theme of covenant is a dynamic concept, apt to be shaped in different ways in the times of the Old and New Testaments, renewing the fundamental relationship of God with his people in continually changing circumstances. The Reformed tradition has always sensed the importance and relevance of this theme, as it typically underlines God's gracious allegiance towards people who do not merit being his partners. Nevertheless, this concept has not received equal attention in every phase of the Reformed tradition. After a period of relative silence since the seventies, the twentieth century saw a renewed interest in the topic, for several reasons to be explained. This volume underlines the idea that reflection on the covenant is not only interesting, but that it is a pivotal element in Reformed theology, as it is able to recalibrate Reformed theology. It asks how to connect individual and communal identity? How to tie God's deeds in history to our lives today? How to give eschatology its legitimate place? How to do justice to the role of Israel in the history of salvation? How to take up the challenge of a living Israel today? How to stress God's elective love, while at the same time taking human responsibility thoroughly seriously? And how to connect God's unconditional love to the forensic language of scripture? These are some questions that are touched

upon in this volume. A fresh investigation of the covenant will be vital to a fruitful approach seeking answers to these questions.

From the beginnings of the Reformed tradition, covenant had a central role in its theology. We find the roots of Reformed federal theology in the sixteenth century, in Zürich (Huldrych Zwingli, Leo Jud, Heinrich Bullinger), in Heidelberg (Zacharias Ursinus and Caspar Olevianus) and in Geneva (John Calvin).¹ In the work of Puritans and Reformed scholastics, it developed further into a more full-grown form, known as Reformed federal theology. The basic structure of this theology is determined by three covenants: the eternal covenant of redemption between Father, Son, and Spirit to save the elect; the covenant of works made with humanity before the fall in sin; and the covenant of grace with Christ as its head and/or mediator. We find this structure both in Dutch Reformed theology and in the works of English Presbyterian and Puritan theologians. Segments of it can also be found in the Westminster Confession of Faith (1646), which distinguishes between the covenant of works and the covenant of grace in Chapter 7.²

The covenant-theme was rediscovered in the thirties of the twentieth century, both in and outside Reformed theology. Karl Barth used the covenant to emphasize God's freedom in his election and grace. At the same time, he used the concept as a critical tool against natural bonds, which were stressed in National Socialism, although he did not agree with the system of Reformed federal theology, which, in his view, undermines a theology of grace. In the Netherlands, Klaas Schilder reemphasized the theme.³ He shared with Barth a critical attitude towards the scholasticism of those days, emphasizing the unity of the covenant. At the same time, he differed from Barth in defending the idea that God's covenant with man was prelapsarian. In biblical studies, Walther Eichrodt, a colleague of Barth in Basel, made the concept בְּרִית central in his *Theologie des Alten Testaments* (1933, 1935, 1939).⁴

1 On the history of the doctrine of the covenant, see e.g. Andrew A. Woolsey, *Unity and Continuity, in Covenantal Thought: A Study in the Reformed Tradition to the Westminster Assembly* (Grand Rapids: Reformation Heritage, 2012). For more literature, see J. Mark Beach, *Christ and the Covenant: Francis Turretin's Federal Theology as a Defense of the Doctrine of Grace* (Göttingen: Vandenhoeck & Ruprecht, 2007), 19–64; Aaron C. Denlinger, *Omnes in Adam Ex Pacto Dei: Ambrogio Catarino's Doctrine of Covenantal Solidarity and Its Influence on Post-Reformation Reformed Theologians* (Göttingen: Vandenhoeck & Ruprecht, 2010), 36–64.

2 Continental Reformed confessions such as the Belgic Confession and Heidelberg Catechism, which were written in an earlier phase of the development of Reformed covenant-doctrine, are less explicit on these matters.

3 See e.g. S.A. Strauss, *Alles of niks: K. Schilder oor die verbond* [All or nothing: K. Schilder about the covenant] (Bloemfontein: Patmos, 1986).

4 Walther Eichrodt, *Theologie des Alten Testaments*, 3 vols. (Leipzig: Hinrichs, 1939).

Some years later, George E. Mendenhall showed himself to be impressed by the parallels between Hittite and Israelite covenant-ideas (1955).⁵ His distinction of types of covenants, the royal grant-covenant and the suzerain-vassal-covenant, has been very influential. Together, these impulses led to many publications in biblical studies and systematic theology. In Presbyterian theology, different choices were made. John Murray argued that God's grace was central in all covenants. As a result, he spoke of an Adamic administration instead of a covenant of works (1954).⁶ A different position was defended in *The Treaty of the Great King* by Meredith Kline (1963).⁷ This work supports the model of federal theology, using the distinction of the royal grant-covenant and the suzerain-vassal-covenant. According to Kline, the covenant with Moses is a conditional covenant and a republication of the covenant of works.

In Germany, however, two biblical scholars raised more critical voices. According to Lothar Perlitt (1969), ברית is a late, Deuteronomist concept. Ernst Kutsch (1973) claimed that ברית stands for 'obligation' and not for a relationship between two partners, as the German *Bund* (the equivalent of 'covenant' in theological literature) is commonly understood.⁸ If these scholars are right, the semantic and exegetical foundation of the model of Reformed federal theology appears to be affected, so that the question arises whether this model would still be viable. Possibly due to the influence of these studies, the interest in the covenant-theme decreased in the seventies and eighties of the twentieth century, although in the eighties two influential books were published by Dumbrell (1984) and McComiskey (1985).⁹

After a period of silence, however, a renewed interest can be seen today, due to important questions regarding the theme which must be addressed.

First, twenty-first century western Christians have their own ideas about individuals, communities, relationships, contracts (social and others), and covenants. These ideas are influenced by centuries of reading the scriptures, the tradition of modernity, and our present post-Christian context. Reformed ideas about the covenant have been developed parallel with the growth of

5 George E. Mendenhall, *Law and Covenant in Israel and the Ancient near East* (Pittsburgh: Biblical Colloquium, 1955).

6 John Murray, *The Covenant of Grace* (London: Tyndale, 1954).

7 Meredith G. Kline, *Treaty of the Great King* (Grand Rapids: Eerdmans, 1963).

8 Lothar Perlitt, *Bundestheologie im Alten Testament* (Neukirchen-Vluyn: Neukirchener Verlag, 1969); Ernst Kutsch, *Verheissung und Gesetz: Untersuchungen zum sogenannten "Bund" im Alten Testament*, BZAW 131 (Berlin: De Gruyter, 1973).

9 William J. Dumbrell, *Covenant and Creation: A Theology of the Old Testament Covenants* (Carlisle: Paternoster, 2000, first published 1984); Thomas E. McComiskey, *The Covenants of Promise. A Theology of the Old Testament Covenants* (Grand Rapids: Baker, 1985).

modern culture (consider late medieval voluntarism, or early and later modern social imaginaries and individualisms). This raises the question of how today's Christians interpret the term 'covenant' and to what extent this interpretation agrees with the meanings of ברית and διαθήκη.

Second, from the late nineties onward, renewed study of treaties in the Ancient Near East, based on literary and archeological findings, reopened the issue of how the biblical concept of ברית can be related to these contemporary treaties. In which sense do these findings help us to understand biblical texts and what can we learn from them?

Third, newer research in Reformed scholasticism by scholars like Willem J. van Asselt and Richard A. Muller showed another attitude towards Reformed federal theology than earlier research by neo-orthodox scholars who were stimulated by Karl Barth's critical attitude towards federal theology.¹⁰ Is it true that elements of federal theology are inimical to God's grace? Or can we understand federal theology as a contextual form of theology serving the gospel of God's grace? How should we evaluate the idea of a 'covenant of works'? And what does all this imply for a contemporary doctrine of the covenant(s)?

Fourth, several studies on biblical theology and systematical theology were published in which covenant reappeared as an important theological theme, such as those of Van de Beek (2002 and 2008), Michael Horton (2006), Paul R. Williamson (2007), Scott W. Hahn (2009), and Peter J. Gentry and Stephen J. Wellum (2012).¹¹ During the process of editing, an important study on the topic of the covenant was published by Waters, Reid and Muether

10 See e.g. Willem J. van Asselt, *The Federal Theology of Johannes Cocceius (1603–1669)* (Leiden: Brill, 2001); Richard Muller, "The Covenant of Works and the Stability of Divine Law in Seventeenth-Century Reformed Orthodoxy: A Study in the Theology of Herman Witsius and Wilhelmus À Brakel," in *After Calvin: Studies in the Development of a Theological Tradition*, ed. Richard A. Muller (Oxford: Oxford University Press, 2003), 175–90. For an overview of developments in the research of federal theology, see Beach, *Christ and the Covenant*, 19–64.

11 A. van de Beek, *De kring om de Messias: Israël als volk van de lijdende Heer* [The circle around the Messiah: Israel as people of the suffering Lord] (Zoetermeer: Meinema, 2002), esp. 168–93, 206; A. van de Beek, *God doet recht: Eschatologie als christologie* [God does justice: Eschatology as Christology] (Zoetermeer: Meinema, 2008), 168–221, 332–43; Michael Scott Horton, *God of Promise: Introducing Covenant Theology* (Grand Rapids: Baker, 2006); Paul R. Williamson, *Sealed with an Oath: Covenant in God's Unfolding Purpose*, NSBT 23 (Downers Grove: InterVarsity, 2007); Scott W. Hahn, *Kinship by Covenant: A Canonical Approach to the Fulfillment of God's Saving Promises*, AYBRL (New Haven: Yale University Press, 2009); Peter J. Gentry and Stephen J. Wellum, *Kingdom Through Covenant: A Biblical-Theological Understanding of the Covenants* (Wheaton: Crossway, 2012).

(2020).¹² (Some authors of the present volume had the opportunity to reflect on it. However, it was too late to ask all authors to refer to this book.) To these publications could be added those of N.T. Wright, who assigns an important role to God's covenant with Abraham, or, in the Netherlands, the work of Henk de Jong.¹³ These authors show that the covenant-theme can still play a prominent part in a vital biblical theology and is too important to be neglected. Many of these publications start with the variety of covenants in scripture, like the covenants made with Adam, Noah, Abraham, Israel, and David, and the new covenant. This evokes the question as to how this variety of covenants relates to the model of federal theology with its three covenants or the Reformed emphasis on the unity of the covenant of grace.

Finally, within North America, controversy arose due to what has come to be known as the 'Federal Vision' or 'Auburn Avenue Theology.' Federal Vision refers to a group of theologians who share a high view of the sacraments and of the church. The Federal Vision started at a conference in 2002 and was rejected by various American Reformed and Presbyterian denominations. Adherents of the Federal Vision emphasize the unity, the gracious nature, and the conditionality of the covenant before and after humanity's fall into sin. Furthermore, the group shares a high view of the church and of the sacraments. In this volume, the Federal Vision itself will not be evaluated, although questions of the conditionality of the covenant and the relationship between divine election and human responsibility will be discussed. Still, this movement indicates the ongoing importance of the covenant-theme.¹⁴

To conclude, there are enough reasons today to reconsider the theme of the covenant, from the perspectives of linguistic studies, of Ancient Near East sources, of historical research of federal theology, and of recent biblical theological publications.

12 Guy Prentiss Waters, J. Nicholas Reid, and John R. Muether, eds., *Covenant Theology: Biblical, Theological, Historical Perspectives* (Wheaton: Crossway, 2020). All contributors are related to Reformed Theological Seminary in the United States, belonging to the Presbyterian tradition of Westminster Standards.

13 See e.g. N.T. Wright, *The Climax of the Covenant: Christ and the Law in Pauline Theology* (Minneapolis: Fortress, 1992); H. de Jong, *Van oud naar nieuw: de ontwikkelingsgang van het Oude naar het Nieuwe Testament* [From old to new: The development from the Old to the New Testament] (Kampen: Kok, 2002).

14 For a first overview of the Federal Vision and its critics, see Andrew T.B. McGowan, *Adam, Christ and Covenant* (Nottingham: Inter Varsity, 2016), 79–107.

1 Reformed Theology

This volume will address many of these important questions on the covenant(s) from biblical, historical and systematical perspectives. It presents the fruits of a conference organized by the research group Biblical Exegesis and Systematic Theology (BEST) in Apeldoorn, the Netherlands, in 2017.

The members of this research group stand in the Dutch, Reformed tradition. Although the conference received international attention, most contributions to this volume share the same Reformed theological tradition, in which covenant always has been an important theme. Partly, they stem from the experiential (*bevindelijke*) tradition with roots in the 'Nadere Reformatie', the Dutch wing of Puritanism, while other contributors have a background in Neo-Calvinism. All share a high view of scripture and intend to give it a primary role in theology.

This does not imply, however, that the reader cannot expect diversity in this volume. Whereas the Lutheran tradition is clearly defined by the Augsburg Confession, the Reformed tradition has never reached a similar stage of confessional uniformity, but has always given evidence of variety and breadth.¹⁵ For this reason, it should not surprise one that it has always been difficult to present a precise definition of the 'Reformed identity'.¹⁶

A significant difference regarding the covenant-theme in the Reformed tradition is that the covenant-theme is less prominent in the Dutch 'Forms of Unity' – the Belgic Confession (1561), the Heidelberg Catechism (1563), and the Canons of Dordt (1619) – than it is in the Westminster Confession (1646). The Forms of Unity mention the covenant more than once, but do so in two contexts in particular: the relationship between the old and the new covenant and the sacraments. Unlike the Forms of Unity, the Westminster confession makes explicit use of the concepts of the so-called federal theology in its more developed form, employing the distinction of the covenant of works and the covenant of grace as a structuring principle.¹⁷ Accordingly, federal theology

15 Chris Caughey and Crawford Gribben, "History, Identity Politics, and the 'Recovery of the Reformed Confession,'" in *On Being Reformed: Debates over a Theological Identity*, by Matthew C. Bingham et al. (Cham, Switzerland: Palgrave Macmillan, 2018), 4–11; Alec Ryrie, *Protestants: The Faith That Made the Modern World* (New York: Viking, 2017), 61–83.

16 See e.g. the diversity in David Willis-Watkins, Michael Welker, and Matthias Gockel, *Toward the Future of Reformed Theology: Tasks, Topics, Traditions* (Grand Rapids: Eerdmans, 1999); Wallace M. Alston and Michael Welker, *Reformed Theology: Identity and Ecumenicity* (Grand Rapids: Eerdmans, 2003).

17 Michael Allen, "Confessions," in *The Cambridge Companion to Reformed Theology*, ed. Paul T. Nimmo and David Fergusson, Cambridge Companions to Religion (New York:

has confessional status in the Presbyterian tradition, whereas it does not have such a status in the Reformed tradition, which marks an important point of difference. Still, covenant has been an important theme in the Dutch Reformed tradition, as the works of, among others, Klaas Schilder and J.G. Woelderink make clear.¹⁸ Accordingly, it will not surprise anyone that the covenant theme receives ongoing attention.

2 Biblical Exegesis, Historical Theology, and Systematic Theology

Often, biblical scholars, church historians and systematic theologians organize their own conferences and read their own literature, operating in separate compartments. This is a regrettable situation, for good theology should bring together these perspectives and combine them in a creative way. Especially within Reformed theology, scripture and doctrine ought to be closely related.¹⁹ Within the research group BEST, working within that Reformed tradition, biblical scholars and systematic theologians cooperate closely to bring their respective approaches into fruitful dialogue. If biblical scholars want to do their work in a really theological manner, systematic theologians can help them to see the theological questions and problems. If systematic theology wants to justify its theological statements referring to scripture without doing this in a simplified and ahistorical way, it needs the aid of biblical studies. Moreover, the history of theology is important, as it shows how the scriptures were read throughout history, thus bridging the chronological distance between scripture and contemporary reflection.

In the case of a theme like the covenant(s), it will be clear that biblical studies, historical research and systematic reflection can all make an important contribution to theological reflections. The combination of these disciplines might be difficult, because of, for example, terminological problems, as the Hebrew *ברית*, the Greek *διαθήκη*, and theological terms such as *pactum* and *covenant* may have different meanings. Yet, despite the variety of perspectives,

Cambridge University Press, 2016), 36. On the covenants in Reformed theology, see also Michael Allen, *Reformed Theology*, *Doing Theology* (London: T&T Clark, 2010), 34–53.

18 Strauss, *Alles of niks*; H.J.C.C.J. Wilschut, J.G. Woelderink: *Om de 'vaste grond des geloofs'; de ontwikkeling in zijn theologisch denken, met name ten aanzien van verbond en verkiezing* [J.G. Woelderink: For the "firm foundation of faith"; The development in his theological thinking, especially regarding covenant and election] (Heerenveen, Groen, 2000).

19 Cf. another BEST-volume, viz. Hans Burger, Arnold Huijgen, and Eric Peels, eds., *Sola Scriptura: Biblical and Theological Perspectives on Scripture, Authority, and Hermeneutics*, SRTh 32 (Leiden: Brill, 2017).

all disciplines relate to the same reality of the relationship between God and (members of) humanity and can provide us with a deeper understanding of this reality. Studying the language of scripture, the insights of Christian theologians of the past, and contemporary systematic reflection in the framework of one research group led to better insight in the reality expressed by ברית/διαθήκη/*pactum*/covenant.

As a witness to such fruitful cooperation, this volume investigates the various covenants in the Old and New Testaments, historical positions on the covenant in Jewish tradition, in the Reformation, and Reformed federal theology as well as actual systematic issues about the relevance of the covenant. Only the coordination of these different perspectives will further the theological debate.

3 A Covenant-Concept?

As already indicated, semantic sensitivity is necessary, for different words from different languages with different connotations are used in different contexts with different communicative intentions: ברית, διαθήκη, *pactum*, covenant, and – one could add – *Bund*.

In Reformed theological discourse, the term covenant is mainly used in connection with God's relationship with his people, with humanity or with creation. More specifically, it often refers to a formal regulation that shapes or directs the relationship. However, theologians do not always use the term in exactly the same sense. Besides, as has been pointed out above, the sense they attribute to the term may differ from the way in which Hebrew ברית and Greek διαθήκη, which are commonly translated by 'covenant' in English, are used in the Bible. For example: Theologians may call the covenant that Moses makes with the people of Israel in Deuteronomy 28: 69 (29: 1) a renewal of the covenant made at Horeb, whereas it is another ברית added to the one made at Horeb according to Hebrew terminology. Furthermore, it may well be that the Hebrew and Greek words are not always used with the same meaning in all biblical texts.

The contributors to this volume are not using a uniform definition of covenant. Nevertheless, all authors are consistent in their own use of the term and present their particular definition when necessary. Moreover, they show awareness of the variety in the biblical and theological uses of the term. This is important in order to stimulate a real exchange of ideas between exegesis and systematic theology, in order to contribute to the construction of a covenant theology that takes advantage of the various approaches and results of both

disciplines. This cooperation of two disciplines is mandatory for new exegetical insights to be appropriated and for new reconstructions of a systematic-theological doctrine of the covenant to be founded in scripture.

The biblical covenants give insight into the ongoing relationship of God with his people. Focusing on this reality, the present volume contributes to the ongoing debate about the following questions, connecting biblical and systematic theology on the theme of covenant:

- How can biblical theological reflections on the covenants provide a fruitful framework for systematic theologians which can help them to express the reality of God's covenantal relationship with his people in accordance with scripture?
- How can systematic theology offer questions and challenges for biblical theologians which can help them in studying the unity and the diversity of God's revelation as to the mutual relationship between him and his people?

4 Overview of This Volume

This volume combines three different perspectives on covenants – biblical, historical, and systematic-theological –, which also determines its structure. Accordingly, its first three parts are: 1. Biblical Perspectives; 2. Historical Perspectives; 3. Systematic-Theological Perspectives. The volume concludes with Part 4. Concluding Reflections. This part consists of one essay in which a scholar critically reflects on the previous contributions. It has been written after the conference at which the original papers were read and discussed.

4.1 *Part 1: Biblical Perspectives*

The first part, Biblical Perspectives, opens with two contributions of a more general nature, concentrating on the Hebrew term ברית and the ancient Near-Eastern parallels respectively. First, *Gert Kwakkel* addresses the question of whether ברית has the same meaning as covenant or the German *Bund* in theological discourse where these words often denote the relationship between God and human beings. He examines a selection of Old Testament texts in which the most common idiom for covenant-making occurs, namely ברת ברית. It turns out that ברית mainly refers to a solemn agreement regulating the relationship, not to the relationship as such. Next, Kwakkel reviews ancient and modern equivalents for ברית and their mutual differences. In conclusion, he argues that systematic theologians should take into account the diversity in biblical – Hebrew and Greek – usage as well as the words used to convey this

usage in modern languages. This means that they cannot simply copy or follow biblical terminology, but should provide a clear definition of the concept as they use it in their own work.

Next, *Koert van Bekkum* discusses the ancient Near-Eastern parallels to texts about covenants and covenant-making in the Old Testament: what is characteristic of these parallels and how can biblical scholars and theologians use them in a responsible way? Van Bekkum gives an overview of the history of research into the parallels and the impact of this research on the theological understanding of covenant. He highlights the remarkable fact that the impact was limited to the first phase of this research, which ended in 1990. He further comments on the methodology to be adopted by biblical scholars and others when making use of the parallels. They should first read all texts in their own contexts, interpret them in agreement with their individual characteristics, and refrain from quickly drawing conclusions. Van Bekkum concludes with two theological considerations. First, the way in which biblical texts refer to covenants and covenant-making testifies to the fact that divine revelation made use of genres already in use in its ancient Near-Eastern context and made them subservient to its aim. Second, an appeal to an extra-biblical parallel does not suffice to classify biblical covenants as, for example, either conditional or unconditional.

The other contributions in Part 1 concentrate on a particular covenant and/or a particular passage in scripture.

Arie Versluis investigates the covenant that Moses made in Moab, according to Deuteronomy 26: 16–19; 29. He demonstrates that the covenant is made through the speech acts recorded in these passages. The reference to “today” as the moment of covenant-making refers to an ongoing present: the covenant must always be entered afresh. As for the relation to other covenants, Versluis concludes that the Moab covenant does not replace the Horeb covenant. Instead, it renews, confirms and explains this foundational covenant for the present and future generations. The covenant with the patriarchs, for its part, is foundational to the Horeb covenant and to YHWH’s relation with Israel in general. Although Deut. 30: 6 announces the inner change of Israel in the far future, the Moab covenant cannot be considered a prefiguration of the new covenant. As regards one of the focal points of this volume, Versluis’s analysis may put the common distinction between the one covenant and the numerous covenants in which it manifests itself into perspective. The covenant involves a dynamic relationship which constantly places humans before God in a continuing present.

In *Jaap Dekker’s* contribution on the new covenant in Isaiah, still another covenant comes to the fore: God’s covenant with David. Dekker takes issue

with von Rad's view that in Isaiah 55: 3, the covenant with David is democratized into a covenant with the people, because this interpretation does not square with the phrase about the steadfast mercies for David in verse 3b. For his own interpretation, Dekker makes critical use of Henk de Jong's view of the covenant with David as a covenant intending to reinforce the covenant made at Sinai. He argues that it is typical of Isaiah 55 that the everlasting covenant with David likewise provides a solid basis for the new covenant, in which Israel will be made a witness to the nations. Thus, Dekker makes an important contribution to a more comprehensive and dynamic understanding of the relationship between several covenants figuring in the Old Testament.

Mart-Jan Paul focuses on the prophecy of a new covenant in Jeremiah 31: 31–34 and its meaning in its own literary context. The new covenant will be made with the people of Israel and Judah and not with other nations. Furthermore, the emphasis is on the people as a whole, not on individuals. In both respects, the affirmations made in the text differ from what is often assumed in Christian systematic theology. Through the new covenant, God will continue his relationship with Israel by resolving the problem resulting from the people's disobedience. By changing the hearts of the Israelites, God will create the conditions for the fulfillment of the promises confirmed by earlier covenants, including their material aspects such as possession of the land. Although this will serve his ultimate goal of bringing blessing to all peoples, members of other nations will not share all elements of the promises sealed by the new covenant according to Jeremiah 31.

The place of Israel within the covenant is thematized in the contribution of *Arco den Heijer*. He pays particular attention to the speech of Peter in Acts 3: 12–26, analyzing through this lens the use of διαθήκη in Luke and Acts. In addressing his audience as “the sons of the covenant,” Peter stresses the lasting priority of Israel within the history of salvation. Den Heijer demonstrates that according to Luke, the mission to the Gentiles continues to be closely connected to this crucial role of Israel as the people of the covenant.

Donald Cobb demonstrates that although the term covenant does not occur very often in the New Testament, the concept to which it refers is pivotal to understanding how salvation is offered to Jews and Gentiles. Against the view of some adherents of the ‘New Perspective on Paul,’ Cobb states that the apostle does not propagate an alternative way of living with God for the Gentiles (i.e. by participating in Christ, as some would suggest). He emphasizes the continuity of God's covenant in the Old and New Testaments. Focusing on Paul's argumentation in Galatians 4: 21–31, he shows that the ‘allegory’ found in these verses agrees with the prophecy of Isaiah 54, where Israel is promised a new

posterity as a further fulfillment of God's promises to Sarah. The use of the term covenant thus reveals a deeper connection within God's work in the Old and the New Testaments than is generally assumed from the passage.

Michael Mulder focuses on Romans 10. Although the term covenant is not mentioned there, Paul, in Romans 9–11, underscores God's faithfulness to his promises to Israel, while he also ponders Israel's responsibility, thus reflecting basic elements of God's covenant with his people. Mulder's contribution analyzes the way Paul uses scripture in Romans 10 in order to come to terms with these different elements. He notes an intertextual connection with the language of Isaiah 40–55, thus showing how God's electing activity overarches and incorporates human responsibility, while, at the same time, he fully addresses this responsibility in his covenant dealings with Israel. In a concluding remark the article emphasizes the relevance of these exegetical observations for systematic-theological reflections on the covenant, showing that the way Paul addressed his questions about God's covenantal relationship with Israel – that is, by listening to the scriptures – is pivotal for the understanding of God's covenant in the present time.

4.2 *Part 2: Historical Perspectives*

The second part of the volume, *Historical Perspectives*, opens with two essays on Jewish history. The first is written by *Eveline van Staalduine-Sulman*, who analyzes the way in which the covenant functions in the Mekhilta-de-Rabbi Ishmael, comparing it with other midrashim and with the New Testament. Although the term covenant does not play a major role in rabbinic writings, the rabbis reflect on the particular relationship between God and Israel. Central to their thought is the importance of the Torah given to Israel. It seems as if the Mekhilta emphasizes that the Torah came to Israel because the nations refused it. That would be the opposite movement which is noted by Paul, that the Gospel came to the Gentiles, because of Israel's refusal to accept it. Still this opposition is not an absolute one, as the rabbis always kept a theologically motivated positive attitude towards the nations. After the destruction of the Temple, Judaism had to find a new identity, fighting against a severe Roman occupation and against an increasingly hostile Christianity. Thus, the historical situation plays a significant role in the aloofness of the Mekhilta to connect the term covenant with the nations. This should be taken into account in studying the rabbinic use of this term as a background for a New Testament study of the word 'covenant', although the main elements of the concept are comparably present in both traditions.

Aaron Chun Fai Wan presents the way in which one specific text about the covenant, the prophecy of the new covenant in Jeremiah 31, is interpreted in differing Jewish sources. In the Targum and in rabbinic midrashim this new

covenant is perceived as eschatological, to be realized in the future, when God will renew his covenantal bond with Israel. Wan draws attention to the element of continuity, as well as the remaining focus on the people of Israel. A better understanding of the interpretation of Jeremiah 31 in Jewish tradition will facilitate Jewish-Christian dialogue on these issues, preventing a one-sided approach to the new covenant from a purely Christian perspective in which the discontinuity has always been stressed.

The other historical contributions relate to the history of the Reformed tradition.

Daniël Timmerman discusses the development of systematic reflection on the covenant in early Reformed theology. As point of departure he scrutinizes several catechisms issued at Zurich, important because of the influence of Bullinger and Zwingli who worked in this city. It appears that the notion of covenant was present already in the earliest catechisms. In particular Leo Jud pioneered the field of federal theology. Other Reformed theologians, such as Zacharias Ursinus and Robert Rollock, as well as the Westminster catechisms, elaborated the doctrine in terms of a twofold treaty of God with men, characterized respectively by works and by grace. Although the unfolding of such a double covenant scheme was a real signpost, Timmerman demonstrates that the basic questions that were addressed by this doctrine were present from the very beginning of the Reformed covenant tradition, thus emphasizing the continuity within these developments.

After this overview, the next historical articles focus on specific theologians from the Reformed tradition.

The Swiss church reformer Heinrich Bullinger occupies center stage in *Pierrick Hildebrand's* essay. In the twentieth century, theologians like Karl Barth and John Murray have used Bullinger's theology as an ally in their own criticism of the covenant of works as opposed to the covenant of grace. Based on an analysis concentrating on Bullinger's comments on the *imago Dei*, the law and the tree of life in sermons on Genesis 1–3, Hildebrand compares his view on the relationship between God and man before the Fall with the later Reformed concept of the covenant of works. He argues that although Bullinger does not use the term 'covenant of works,' there is much similarity and continuity between his thoughts about a prelapsarian relationship between God and man and the later concept. This puts Barth's and Murray's appeal to Bullinger in support of their critical view on the concept into proper perspective.

Matthias Mangold describes the doctrine of the covenant of works of the Reformed theologian Johannes Braun (1628–1708), who attempted to organize all dogmatic *loci* around the theme of the covenant. Like Hildebrand, Mangold does so against the background of the later criticism of the covenant of works, in the nineteenth and twentieth centuries. He demonstrates that the original

view of the covenant of works such as advocated by Braun is more nuanced and complex than its critics often assume. Thus, he makes it impossible to simply reject this part of the Reformed theological tradition. In the wake of Braun, he also provides some comments on the use of non-biblical terms in systematic theology, which relates to one of the main issues in this volume.

Willem van Vlastuin discusses the covenant-theology of the Dutch Reformed theologian Wilhelmus à Brakel (1635–1711), who, similarly to Braun, took the covenant of grace as the leitmotif for structuring his *magnum opus* *The Christian's Reasonable Service*. For À Brakel's ecclesiology, this means that the spiritual communion or marriage with Christ is at its heart. However, as part of his opposition to Labadist individualism, À Brakel understood not only the acceptance of the covenant as its essence, but also the public church. Thus, one is left with a tension between the inner affective dimension of the Christian life and the public dimension, as well as between collective and individual participation in the covenant.

4.3 *Part 3: Systematic-Theological Perspectives*

In the first contribution of Part 3 (Systematic-Theological Perspectives), *Arnold Huijgen* explicitly faces the challenge of connecting exegesis and systematic theology. He elaborates three different contributions to covenant theology from biblical perspectives, namely by the Reformed Michael S. Horton, the Roman-Catholic Scott W. Hahn, and the Anglican N.T. Wright. He uses these authors to address some specific weaknesses in Reformed covenant theology, namely a lack of awareness of the relevance of history, of eschatology, and of the presence and place of Israel. Huijgen uses his treatment of these authors to recalibrate Reformed theology. His contribution counters earlier criticisms of Reformed covenant theology by biblical resourcing, focusing on a thoroughly trinitarian approach. This trinitarian theology should be understood in economic terms, in order to keep the doctrine of the Trinity and the doctrine of the covenant closely together, whereas the doctrine of the covenant should be developed with a focus on history. Huijgen thus states that as trinitarian theology, covenant theology stays close to the authoritative biblical history, is eschatological in nature, and in ongoing solidarity and unity with Israel.

Hans Burger picks up the thread of the covenant of works once again. He first describes the historical background of the theologoumenon in pre-Reformation theology and its theological function. Next, he expounds the problems that call for a critical review of the concept: the indispensability of the law for God's relationship with man, the apparent meritorious nature of obedience, the discrepancy with biblical terminology, and the underestimation

of the role of Israel. Burger concludes his contribution with a thought-experiment regarding a theology without a covenant of works, which takes its point of departure from love rather than from legal notions. In his view, such a theology can circumvent the problems arising from the covenant of works and at the same time fulfill its theological functions. Further research is needed as to the exegetical warrant of such a theology.

Dolf te Velde zooms in on the conditions to be fulfilled by those partaking in the covenant of grace. Faith is commonly presented as the condition, but how can this be reconciled with the unconditional nature of grace and the Reformed doctrine of predestination? Following, among others, the Dutch Reformed theologian Klaas Schilder, Te Velde argues that this is possible if one defines faith as a condition that accompanies God's graciously working out of salvation, not as the ground for being in the covenant. Faith merely receives the promise of grace and it is itself a free gift of God. A corollary of this view is that Christ is the mediator of the covenant of grace, not its head. On this point, Te Velde cautiously takes issue with the Westminster Confession, whose doctrine of the covenant of grace could be supplemented by an emphasis on the appropriation of the promise of salvation by the Holy Spirit.

The final contribution in Part 3 builds a bridge to practice. *Bram de Muynck* offers a framework for practical theological research concerning the interaction between conceptions about covenant and educational practice. One of the issues that is always discussed in Dutch Reformed theology is whether 'being baptized' is equivalent to 'being in the covenant.' De Muynck mentions two positions: one in which covenant is seen as an 'unconditional' category (baptized people are by definition in the covenant), opposed to a 'conditional' view of the covenant, in which covenant follows election (believers are in the covenant after they have received experiential assurance of their election). The question is what impact these positions have on the spirituality of church members and on educational practices. Yet, there is little empirical information to answer that question. De Muynck's contribution is meant as a starting point for further research in this field, which appears to be relevant for pastors who guide parents, youth leaders, and others in educational practices.

4.4 *Part 4: Concluding Reflections*

We kindly thank Georg Plasger for writing the last contribution to the present volume. In his concluding reflections he evaluates each contribution to the discussion on the covenant. He considers the relevance of the dialogue between the different disciplines, and concludes that the results of these studies reveal that "the doctrine of the covenant has unemployed potential."

We present these essays to stimulate the ongoing discussion of the central theme of the covenant, motivated by the interaction between the three differing perspectives, which, in our view, is a key point of our collaboration within the research group Biblical Exegesis and Systematic Theology of the Theological Universities of Kampen and Apeldoorn. We trust that the present volume shows such interaction to be fruitful to understanding the biblical concept of covenant as a vital element of Reformed theology.

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PART 1

Biblical Perspectives



Berith and Covenants in the Old Testament

A Contribution to a Fruitful Cooperation of Exegesis and Systematic Theology

Gert Kwakkel

1 Introduction: What Is a Covenant and How Many Covenants Are There?

What do theologians mean with the term ‘covenant’? According to a concise definition presented by Barend Kamphuis, *verbond* – the equivalent of covenant in Dutch theological discourse – “denotes the relationship between God and man.”¹ This view agrees with what several biblical scholars affirm regarding the meaning of Hebrew בְּרִית, which is commonly translated by covenant in English, *alliance* in French, *Bund* in German, and *verbond* in Dutch. Walther Eichrodt, for example, writes in his famous book on Old Testament theology, that in view of what the Old Testament reveals about the idea of covenant (*Bundesvorstellung*) in secular life, it seems obvious that the religious בְּרִית was always considered a mutual relationship (*ein wechselseitiges Verhältnis*).² Similarly, Theodoor C. Vriezen posits that בְּרִית roughly corresponds to ‘community bond’ (*gemeenschapsband*); by making a covenant two parties were joined to each other to form a community.³

Other scholars defend an alternative interpretation of בְּרִית. The most prominent advocate of this approach is Ernst Kutsch, who objects to the traditional German equivalent *Bund* and rejects the idea that בְּרִית denotes a relationship. Instead, he claims that it refers to a stipulation (*Bestimmung*) or an obligation (*Verpflichtung*), which people impose on themselves or on others. According

- 1 Barend Kamphuis: “Omschrijving van de relatie tussen God en mens.” “Verbond,” [Covenant] in *Christelijke Encyclopedie* [Christian encyclopedia], ed. George Harinck, 3rd ed. (Kampen: Kok, 2005), 3:1794b. Cf. also G. van den Brink and C. van der Kooi, *Christelijke dogmatiek: Een inleiding* [Christian dogmatics: An introduction], 2nd ed. (Zoetermeer: Boekencentrum, 2012), 114, 121.
- 2 Walther Eichrodt, *Theologie des Alten Testaments*, vol. 1, *Gott und Volk*, 8th ed. (Stuttgart: Ehrenfried Klotz, 1968), 9.
- 3 Th. C. Vriezen, *Hoofddlijnen der theologie van het Oude Testament* [An outline of Old Testament theology], 5th ed. (Wageningen: Veenman, 1977), 183.

to Kutsch, the term may also refer to mutual obligations such as the treaty between King Solomon and King Hiram in 1 Kings 5: 26(12),⁴ but not when a ברית between God and men is in view.⁵

Gordon Paul Hugenberger and Paul R. Williamson present more nuanced interpretations. Hugenberger apparently agrees with those who have discredited the notion that ברית is essentially a synonym for ‘relationship,’⁶ without, however, abandoning the notion of relationship. Rather, he combines it with obligation, for he defines the first and primary or predominant sense of ברית as “an elected, as opposed to natural, relationship of obligation established under divine sanction.”⁷

Williamson opines that “a divine-human *bērît* may be defined as the solemn ratification of an existing elective relationship involving promises or obligations that are sealed with an oath.” For his own inquiry into divine-human covenants in Scripture, he uses the following definition: “a solemn commitment, guaranteeing promises or obligations undertaken by one or both parties, sealed with an oath.”⁸ Two elements in Williamson’s definitions catch the eye. First, unlike the scholars mentioned at the beginning of this section, he does not identify ברית with the relationship itself, but relates it to its ratification. Second, the taking of an oath was an essential element of covenant making.⁹

The above review is far from exhaustive, but it suffices to highlight the most prominent aspects of the ongoing discussion on the sense of both Hebrew

4 When chapter or verse numbering in BHS differs from the English versions, the number found in BHS is cited first, followed by the English number within brackets.

5 Ernst Kutsch, “בְּרִית,” in *THAT*, 1:342–44, 347. Weinfeld defends a similar view, but limits it to the original meaning of ברית; Moshe Weinfeld, “בְּרִית,” in *ThWAT*, 1:784. Among the studies that helped him in developing his view, Kutsch mentions in particular Alfred Jepsen, “Berith: Ein Beitrag zur Theologie der Exilszeit,” in *Verbannung und Heimkehr: Beiträge zur Geschichte und Theologie Israels im 6. und 5. Jahrhundert v.Chr.* (= festschrift Wilhelm Rudolph), ed. Arnulf Kutschke (Tübingen: Mohr [Siebeck], 1961), 161–79. According to Jepsen, ברית originally denoted a promise (*Zusage*); it only got its additional meaning ‘obligation’ (*Verpflichtung*) in connection with the Sinai-ברית.

6 See Gordon Paul Hugenberger, *Marriage as a Covenant: A Study of Biblical Law and Ethics Governing Marriage Developed from the Perspective of Malachi*, VTSup 52 (Leiden: Brill, 1994), 4, 168.

7 Hugenberger, *Marriage*, 171, 174; see also 175, on ברית as a reference to the relationship itself in a number of texts. In his definition, Hugenberger endorses Kline: “Every divine-human covenant in Scripture involves a sanction-sealed commitment to maintain a particular relationship or follow a stipulated course of action. In general, then, a covenant may be defined as a relationship under sanctions”; Meredith G. Kline, *By Oath Consigned: A Reinterpretation of the Covenant Signs of Circumcision and Baptism* (Grand Rapids: Eerdmans, 1968), 16.

8 Paul R. Williamson, *Sealed with an Oath: Covenant in God’s Unfolding Purpose*, NSBT 23 (Downers Grove: InterVarsity, 2007), 43.

9 Similarly, Kline, *By Oath Consigned*, 16.

ברית and the theological term covenant. One can also establish a connection between this discussion and the question regarding the number of covenants between God and mankind. If covenant equals a stipulation or obligation, one can easily imagine God promulgating many of such arrangements in the course of history. If it refers to his relationship with mankind or his people, it stands to reason that the number will be much lower.

Traditionally, Reformed dogmatics distinguishes two covenants of God and mankind: the covenant of works and the covenant of grace. This view is found, for example, in Chapter 7 of the Westminster Confession, where it is further affirmed that the covenant of grace has two dispensations, which correspond to the Old and the New Testament respectively.¹⁰ By contrast, the Old Testament itself seems to present a considerably higher number of covenants. According to the idiom found in English versions, God *made a covenant* with, for example, Noah (Gen. 9: 12), Abram (Gen. 15: 18), Israel (Exod. 24: 8; 34: 10, 27), and David (Ps. 89: 4[3]). He further promised to make a new covenant with Israel in the future (Jer. 31: 31–34). In all these cases, English covenant translates Hebrew ברית.

How should one account for this discrepancy between biblical and theological usage? Can the term ברית stand for both a covenant and the dispensation of a covenant (as seems to be implied in the argument of the WCoF), or do dogmatics take covenant as relationship, whereas ברית has a different meaning?

The question at the heart of this essay is: Does the Hebrew noun ברית denote a relationship, such as that between God and his people? How can its meaning be defined, if the answer to this question turns out to be in the negative? And if so, what are the consequences for the use of covenant in systematic theology?

In order to answer these questions, this chapter will first analyze the use and meaning of ברית by investigating a selection of Old Testament texts in which one finds the Hebrew expression ברית. Next, it will review ancient and modern equivalents, such as *διαθήκη*, covenant, and *Bund*, and compare these with the results of the previous investigation. In conclusion, it will reflect on the consequences for systematic theology and its cooperation with biblical research.

10 The same line of thought – though with a slightly different terminology – is followed in the introduction to the New Testament in the Dutch *Statenvertaling* (States Translation) published in 1637; see “Inhoudt des Nieuwen Testaments” [Contents of the New Testament], accessed September 19, 2018, https://www.statenvertaling.net/1637/inhoud_nieuwe_testament.html.

2 Making (ברית) a ברית in the Old Testament

Since ברית occurs in 266 verses in the Old Testament in Hebrew,¹¹ an investigation of all occurrences would exceed the limits of this contribution. However, interesting results can already be gained by concentrating on a few texts selected among those in which the idiom that is typical of making a ברית is found, that is the verb ברת with the noun ברית as its object.¹² The reason for this is that one may expect these texts to yield clues as to the answer to the question whether ברית denotes a relationship. If ברית stands for a relationship, it may be presumed that its creation (expressed by ברת) marks the beginning of the relationship. Presumably, the context will indicate whether such is the case or not.

To begin with, a number of texts (viz. 1 Sam. 18: 3; 20: 16; 23: 18; 1 Kings 5: 26[12]; Jer. 34: 8–22; Ezra 10: 3) will be analyzed in which humans make a ברית, as it may be easier to understand what is at stake in such a context than in one in which God is involved. Next, texts in which God makes a ברית with humans will be addressed (Gen. 15: 18; Exod. 24: 8; 34: 10, 27; Deut. 28: 69 [29: 1]; 29: 11[12], 13[13]; Ps. 89: 4[3]; 2 Chron. 21: 7).¹³

2.1 Jonathan and David (1 Sam. 18: 3; 20: 16; 23: 18)

After David's victory over Goliath and the ensuing talk with Saul, Jonathan felt so strongly attracted to David that he began to love him as himself; Saul, for his part, decided to keep him in his service (1 Sam. 18: 1–2).¹⁴ Next, 1 Samuel 18: 3a says: וַיִּכְרֹת יְהוֹנָתָן וְדָוִד בְּרִית, which may be translated by "Jonathan and David

11 The number is taken from Bible Works 10.

12 The idiom occurs in 77 verses of the Hebrew Bible; 17 of them have been selected for close examination in this contribution. The use of the verb ברת, whose usual meaning is 'to cut,' has often been explained in connection with the ritual division of animals in Gen. 15: 10 and Jer. 34: 18, but this view is not undisputed; see Weinfeld, "בְּרִית," 787; Ernst Kutsch, *Verheißung und Gesetz: Untersuchungen zum sogenannten "Bund" im Alten Testament*, BZAW 131 (Berlin: De Gruyter, 1973), 40–50; G.F. Hasel, "בְּרִית," in *ThWAT*, 4:364–66; cf. also James Barr, "Some Semantic Notes on the Covenant," in *Beiträge zur Altestamentlichen Theologie: Festschrift für Walther Zimmerli zum 70. Geburtstag*, ed. Herbert Donner, Robert Hanhart, and Rudolf Smend (Göttingen: Vandenhoeck & Ruprecht, 1977), 27–28. Instead of ברת, some texts have קום Hiphil (e.g. Gen. 6: 18; 9: 9–17; 17: 7, 19, 21); however, unlike ברת, this can refer not only to making, but also to keeping a ברית.

13 In the following analysis of the texts, Hebrew ברית will not be translated, but merely transcribed by *berith*.

14 Note that 1 Sam. 18: 1–6a is not represented in Codex B and some other manuscripts reflecting – as is commonly assumed – the original form of LXX, the 'Old Greek'; for discussion and bibliography, see Dominique Barthélemy et al., *The Story of David and Goliath: Textual and Literary Criticism; Papers of a Joint Research Venture*, OBO 73 (Fribourg, Suisse:

made a *berith*.¹⁵ Jonathan obviously took the lead, not only in initiating the act, but also in carrying it out, for verse 3b goes on to say: “because he (Jonathan) loved him (David) as himself.” Accordingly, one can paraphrase verse 3a as: “Then Jonathan made a covenant with David” (ESV).¹⁶ The text does not specify any stipulation that was established through this act. Verse 4, however, relates that Jonathan took off his garments and weapons and gave them to David, which most probably means that he symbolically conceded him his position as the royal heir and a high officer of the army.¹⁷

1 Samuel 20 provides more information about the content of the *berith* between Jonathan and David. In verse 8 David draws on the fact that Jonathan brought (הֵבִיאוֹתָ) “his servant” (עֶבְדִּי; sc. David) into YHWH’s *berith* (בְּבְרִית יְהוָה) with him (עִמָּי) – confirming that Jonathan initiated the *berith*-making – to urge Jonathan to show him kindness (עֲשֵׂה חֶסֶד). This means that if David is guilty, Jonathan should not bring him to Saul, but execute him himself. Jonathan assures David that he will certainly inform him about his father’s intentions (vv. 9–13). For his part, Jonathan asks David to show him and his family (בֵּיתִי) loyalty (חֶסֶד) as well, meaning that David will leave them alive after YHWH has granted him victory over all his enemies (14–15). Subsequently, verse 16a says: וַיִּכְרֹת יְהוֹנָתָן עִם־בֵּית דָּוִד, which means that Jonathan made a *berith* with David’s ‘house’.¹⁸ Obviously, this was meant as a confirmation of David’s loyalty towards Jonathan’s descendants. The phrase is followed by the cryptic words “and YHWH will require it from the hand of David’s enemies” (16b), which in one way or another refer to YHWH for assurance that justice will be done. Finally, verse 17 relates that Jonathan also (cf. וַיִּשָּׁקֵי)¹⁹ made David swear by his love for him (cf. also vv. 23 and 42).

Éditions universitaires, 1986); Bernard Grillet and Michel Lestienne, *Premier livre des Règles*, La Bible d’Alexandrie 9.1 (Paris: Le Cerf, 1997), 291–93.

15 On a compound subject with a verb in the singular, see Wilhelm Gesenius and E. Kautzsch, *Hebräische Grammatik*, 28th ed. (Leipzig: Vogel, 1909), § 146f.

16 Cf. Hans Joachim Stoebe, *Das erste Buch Samuelis*, KAT 8.1 (Gütersloh: Mohn, 1973), 341, 343; André Caquot and Philippe de Robert, *Les livres de Samuel*, CAT 6 (Genève: Labor et Fides, 1994), 215, 217.

17 In this vein, e.g., Tryggve N.D. Mettinger, *King and Messiah: The Civil and Sacral Legitimation of the Israelite Kings*, ConBOT 8 (Lund: CWK Gleerup, 1976), 34, 38; J.P. Fokkelman, *Narrative Art and Poetry in the Books of Samuel: A Full Interpretation Based on Stylistic and Structural Analyses*, vol. 2, SSN 23 (Assen: Van Gorcum, 1986), 198–99.

18 With ellipsis of בְּרִית, as in 1 Sam. 11: 2; 22: 8; 1 Kings 8: 9; 2 Chron. 5: 10; 7: 18; cf. HALAT, 476b. In v. 16a, LXX differs considerably from MT; for more details, see Grillet and Lestienne, *Premier livre des Règles*, 328.

19 On וַיִּשָּׁקֵי, see C.J. Goslinga, *Het eerste boek Samuël* [The first book of Samuel], COT (Kampen: Kok, 1968), 371; Stoebe, *Das erste Buch Samuelis*, 371, 376.

Later, when David is on the run from Saul and Jonathan visits him at Horesh, the biblical text once again mentions a *berith*: וַיִּכְרְתוּ שְׁנֵיהֶם בְּרִית לִפְנֵי יְהוָה “And the two of them made a *berith* before YHWH” (1 Sam. 23: 18a). Unlike the preceding passages, this text describes the *berith*-making as an act performed by Jonathan and David on an equal footing, and explicitly affirms that the two acted under YHWH’s supervision. Apart from that, the text says nothing about what was involved or stipulated in this act of *berith*-making.²⁰

As for the relation between these various acts of *berith*-making, the first – in 1 Samuel 18: 3 – was carried out when Jonathan’s strong feelings of love for David began (18: 1) or shortly after that, when Saul had incorporated David into his service (18: 2). Thus, even if it did not coincide with the moment when they first met each other, it was related to the beginning or the first stage of their mutual relationship. In 1 Samuel 20 their relationship has not only functioned for some time, but has also strengthened, since they have become brothers-in-law (18: 27). Yet the circumstances apparently required an additional act of *berith*-making. The same seems true for the third act – in 1 Samuel 23: 18 –, where the peculiarity that the two act on an equal footing may be due to the fact that both Jonathan and Saul are now convinced that David will be the future king (23: 17; cf. also 21: 12).

It turns out, that the three acts of *berith*-making can be accounted for in terms of the development of the story. At the same time, it strikes one that the author or editor of the passages obviously did not feel the need to specify how these acts related to each other, which stipulations of the first continued to apply to the second or the third, et cetera.²¹

2.2 Solomon and Hiram (1 Kings 5: 26)

The *berith* made by Solomon and Hiram of Tyre according to 1 Kings 5: 26(12) was an international treaty, which aimed at ensuring peace (cf. v. 26bα). In view of the context, which describes mutual commercial obligations and services (vv. 20[6], 22–25[8–11]), the treaty most probably also included agreements regarding trade between the two kingdoms.

20 According to Fokkelman, *Narrative Art*, 2:440, the *berith* laid down the work distribution and relationship defined in v. 17aβ: David would be king and Jonathan his vizier.

21 As one would expect, scholars have proposed literary-historical explanations for the presence of three accounts of *berith*-making by David and Jonathan in 1 Sam.; see, e.g., Karl Budde, *Die Bücher Samuel*, KHC 8 (Tübingen: Mohr (Siebeck), 1902), 120–21, 131, 140, 157; Timo Veijola, *Die ewige Dynastie: David und die Entstehung seiner Dynastie nach der deuteronomischen Darstellung*, STAT.H 193 (Helsinki: Suomalainen Tiedekatemia, 1975), 81–90; Caquot and De Robert, *Samuel*, 279, 283. For a brief reflection on this approach, see note 39 below.

Since Solomon's father David and Hiram had always been on friendly terms (5: 12[1]; cf. also 2 Sam. 5: 11), there was already a long-standing relationship between the two kingdoms. Solomon's succession was considered an opportune moment to renew the relationship and make new agreements. Whether this act of *berith*-making marks the beginning of a new relationship or a confirmation and readjustment of one already in existence, is difficult to say. In fact, it is a mere matter of definition: when can a relationship be considered new?

2.3 *Zedekiah and the People of Jerusalem (Jer. 34: 8–22)*

Jeremiah 34: 8–22 depicts a *berith* made by Zedekiah with the people in Jerusalem. According to its terms (דְּבַרֵּי הַבְּרִית; v. 18), the people would set free all Hebrew slaves, male and female. In verse 8, Zedekiah is the subject of the verb denoting the *berith*-making (כרת); the preposition אִתְּ 'with' expresses the people's involvement. Verse 13 uses the same terminology in connection with the *berith* that YHWH made with the people's ancestors when he brought them out of Egypt. This suggests that Zedekiah's *berith*-making was a mutual affair only in the sense that he took the initiative and invited or urged the people to accept his proposal, which they actually did.

YHWH's words, in which he reacts to the people's breaking of Zedekiah's *berith*, provide more information about the nature of the act of *berith*-making. First, the *berith* was made before YHWH or in his presence (לְפָנַי), in the house that bore his name (v. 15). Second, the act of 'entering into the *berith*' (v. 10) included a ritual like that of Genesis 15: 9–21 (a passage that will be discussed shortly); in this case, by passing between the parts of a calf cut in two (vv. 18–19). Third, while the text specifies that all kinds of people took part in the ritual, it does not affirm the same for Zedekiah. Furthermore, the text does not mention an oath, by means of terms usually translated by 'taking an oath,' such as the verb שָׁבַע.

Evidently, the act of *berith*-making was not the beginning of a new relationship between the king and the people. It was a solemn agreement, by which the people willingly or unwillingly accepted an obligation proposed to them by the king; namely, the obligation to finally respect YHWH's *berith* with their ancestors, as God says in verses 13–15. Most probably, Zedekiah also accepted the obligation to set free all Hebrew slaves himself. The text is agnostic about further commitments by Zedekiah, nor does it tell how he thought to profit from the agreement himself.²²

22 Scholars have proposed several suggestions regarding the motivation behind the manumission; for an overview, see Simeon Chavel, "‘Let My People Go!’: Emancipation, Revelation, and Scribal Activity in Jeremiah 34.8–14," *Journal for the Study of the Old*

2.4 *Shecaniah's Proposal in Ezra 10:3*

According to Ezra 10:3, Shecaniah the son of Jehiel (v. 2) proposes to Ezra that the people gathered around him make (ברת) a *berith* which commits them to send away their foreign wives and the children born of these women. Doing so, Shecaniah says, the people will act according to the Law (וְכִתְּוֹרָה יַעֲשֶׂה, v. 3b). In this remark, he is obviously referring to what Ezra has just said in his prayer, namely, that by marrying foreign women the people have forsaken God's commandments proclaimed by the prophets (9:10–12, 14). Shecaniah further specifies that the *berith* should be made לְאַלֹהֵינוּ, which means “before our God” (i.e. in his presence),²³ or “for our God” (i.e. to his benefit). According to the first translation, God is involved as witness to the *berith*; the second makes him a partner to it; that is, not as initiator but as recipient.²⁴

Like Zedekiah's *berith* in Jeremiah 34, Shecaniah's is an agreement in which the people accept the obligation to act in keeping with one of God's commandments.²⁵ It differs from Zedekiah's in that no ritual is referred to, except for the oath that the people took according to Ezra 10:5. Apparently, in Ezra's view this was the right way to carry out Shecaniah's proposal to make a *berith*.²⁶

2.5 *God and Abram (Gen. 15:18)*

Genesis 15:18 is the first biblical text where God is the subject of ברת and ברית its object. The previous verse (17) relates how a smoking fire pot and a flaming torch – symbolizing the presence of God who makes the *berith* – passed between the pieces of the animals that Abram had laid down over against each other, following God's instruction (vv. 9–10). The text does not have Abram passing through the pieces; rather, he is asleep (v. 12). It follows that although the text says that YHWH made a *berith* with (אֶת) Abram, YHWH is the only one who took the initiative and carried out this act.

Verses 18–21 further specify that the *berith*-making involved a statement of God (cf. לְאַמֹּר in v. 18) to the effect that he would give “this land” – the land that

Testament 76 (1997): 71–73; Georg Fischer, *Jeremia* 26–52, HThKAT (Freiburg: Herder, 2005), 252–53.

23 Thus, e.g., NIV; H.G.M. Williamson, *Ezra, Nehemiah*, WBC (Waco: Word, 1985), 139, 143.

24 See Josh. 9:15; 24:25; Jer. 32:40; Ezek. 34:25; 37:26; Hosea 2:20(18); Ps. 89:4–5(3–4); 2 Chron. 21:7.

25 Similar agreements are recorded in 2 Kings 11:17 // 2 Chron. 23:16 and 2 Kings 23:3 // 2 Chron. 34:31.

26 For a more extensive discussion of the relation between *berith* and oath in Ezra 10, see Douglas J. Nykolaishen, “Ezra 10:3? Solemn Oath? Renewed Covenant? New Covenant?” in *Covenant in the Persian Period: From Genesis to Chronicles*, ed. Richard J. Bautch and Gary N. Knoppers (Winona Lake: Eisenbrauns, 2015), 372–75.

stretches from the river of Egypt to the Euphrates – to Abram's descendants. Since these verses do not refer to any obligation to be fulfilled by Abram, the *berith* seems to consist solely of a solemn promise of God. Obviously, Abram was not without any obligation; verse 6 indicates that God expected Abram to trust in him.²⁷ Nevertheless, according to the explicit terms of the *berith* in verses 15–18, God is the only one who assumes an obligation.

Furthermore, the *berith* does not mark the beginning of the relationship between God and Abram, for a relationship was already there from the moment of Abram's call. At that time, God ordered Abram to leave his country and family and to go to the land that he would show him. He also promised to give him numerous descendants, a great name, and blessings, if Abram obeyed his orders (Gen. 12: 1–3).²⁸ Accordingly, a promise from God's side and a condition imposed on Abram played a part in their relationship, right from the beginning. In this chapter which aims at contributing to the cooperation of biblical exegesis and systematic theology, this is worth noting because from old Reformed theologians have regarded promises and conditions as constitutive elements of God's covenants with humans.²⁹ In other words, such 'covenantal' elements – as these theologians might call them – were already there before God made a *berith* with Abram.³⁰

All this shows that the *berith*-making of Genesis 15: 18 did not mark the beginning of a relationship but secured one that had already existed between God and Abram since Genesis 12: 1–3. It did so by solemnly repeating the promise of the land in an expanded form (cf. Gen. 12: 7; 13: 14–15), in response to Abram's attitude of faith in YHWH as set forth in Genesis 15: 6.³¹

2.6 God and Israel at Mount Sinai (Exod. 24: 8; 34: 10, 27)

The ceremony related in Exodus 24: 4–8 is commonly interpreted as the official conclusion or ratification of the Sinaitic covenant.³² At Moses' instruction, young Israelite men offered burnt and peace offerings. Moses himself sprinkled

27 Cf. Gert Kwakkel, *De gerechtigheid van Abram: Exegese van Genesis 15: 6* [Abram's righteousness: Exegesis of Genesis 15: 6], *Kamper bijdragen* 35 (Barneveld: De Vuurbaak, 1996), 43–44, 48.

28 On the syntax of Gen. 12: 1–3, see Paul Joüon and T. Muraoka, *A Grammar of Biblical Hebrew*, 2nd ed., SubBi 27 (Rome: Pontificio Istituto Biblico, 2006), § 116a, b, h.

29 Cf. "Inhoudt des Nieuwen Testaments" in the Dutch *Statenvertaling*; Westminster Confession, ch. 7, 2–3.

30 Note that in Gen. 12 one finds neither כרת nor ברית.

31 Cf. Kwakkel, *De gerechtigheid van Abram*, 48–50.

32 See, e.g., William H.C. Propp, *Exodus 19–40: A New Translation with Introduction and Commentary*, AB 2A (New York: Doubleday, 2006), 308–9; Rainer Albertz, *Exodus*, vol. 2, *Ex 19–40*, ZBK.AT 2.2 (Zürich: Theologischer Verlag, 2015), 137–40.

half of the blood of the sacrificial animals against the altar and read the book of the *berith*, in which he had written down all the words of YHWH, to the people. The people affirmed their intent to obey all that YHWH had said. Next, Moses sprinkled the rest of the blood on the people and said: “This is the blood of the *berith* that YHWH has made (בְּרִית) with you (עִמָּכֶם) in accordance with all these words” (v. 8). Subsequently, Moses, Aaron, Nadab, Abihu, and seventy elders climbed up the mountain, where they saw the God of Israel. They also ate and drank in his presence, which is often understood as a covenant meal.³³

The perfect בְּרִית in Exodus 24: 8 may suggest that YHWH had already made the *berith* before the ceremony, or that he did so at that very moment.³⁴ Both interpretations depict the making of the *berith* as an accomplished fact. However, Exodus 34: 10, 27 also have YHWH saying that he makes (כרת) a *berith*, with one difference: in verse 27, YHWH mentions Moses first as the human partner of the *berith* and then Israel (בְּרִיתִי אֶתְּךָ בְּרִית וְאֶת־יִשְׂרָאֵל). Most probably, this *berith*-making is related to the fact that Israel had just violated one of the most prominent stipulations of the *berith* of Exodus 24 by making and worshipping the golden calf (Exod. 32). However this may be, the *berith*-making of Exodus 34 did not coincide with the beginning of Israel’s relationship with God. It represented the restoration of the disturbed relationship and possibly also the reestablishment of the violated *berith* of Exodus 24, on a fresh basis involving a primary responsibility assigned to Moses.

Exodus 34 itself does not devote a single word to the nature of the relationship between the *berith*-makings in Exodus 24 and 34. Several elements support the reading that the *berith* of Exodus 34: 10, 27 may be distinguished from the one in 24: 8. The verb כרת is used again, just as in 24: 8; the texts refer to “a *berith*” without further qualification, such as “my *berith*” or “our *berith*”; and, Moses is mentioned as a partner in addition to Israel. If, then, Exodus 34 refers to another *berith*, one is left with the question as to what happened with the former: was it replaced or abrogated? The text does not provide an answer.³⁵

33 See, e.g., Brevard S. Childs, *The Book of Exodus: A Critical, Theological Commentary*, OTL (London: SCM, 1974), 501–2, 507; Propp, *Exodus 19–40*, 297–98. The interpretation is not undisputed; see, e.g., E.W. Nicholson, “The Interpretation of Exodus xxiv 9–11,” *Vetus Testamentum* 24 (1974): 77–97, esp. 84–88.

34 See Christoph Dohmen, *Exodus 19–40*, HThKAT (Freiburg: Herder, 2004), 198.

35 For more details on Exod. 34, see Gert Kwakkel, “The Sinaitic Covenant in the Narrative of the Book of Exodus,” in *Living Waters from Ancient Spring: Essays in Honor of Cornelis Van Dam*, ed. Jason Van Vliet (Eugene: Pickwick, 2011), 35–38. In historical-critical research, scholars usually assign the accounts of covenant making in Exod. 24 and 34 to different sources; for an overview, see Erich Zenger, *Die Sinaitheophanie: Untersuchungen zum jahwistischen und elohistischen Geschichtswerk*, FB 3 (Würzburg: Echter Verlag Katholisches Bibelwerk, 1971), 215–17, 226–30; cf. also Propp, *Exodus 19–40*, 146, 148.

2.7 *God and Israel in Moab (Deut. 28: 69; 29: 11, 13)*

About forty years later, just before Moses's death, another *berith* was made, in addition to the one made at Mount Sinai or Horeb: "These are the words of the *berith* that YHWH commanded Moses to make (ברת) with (אֶת) the people of Israel in the land of Moab, besides (מִלְבָּד) the *berith* that he had made (ברת) with them (אִתָּם) at Horeb" (Deut. 28: 69 [29: 1]; cf. also 29: 11[12], 13[14]).³⁶ Many interpreters consider this *berith*-making to be a renewal or confirmation of the covenant made at Sinai.³⁷ Nevertheless, the same idiom is used as in Exodus 24: 8; 34: 10, 27: the verb ברת with ברית as its object. If ברת + ברית stands for *berith*-making, as is commonly assumed, Exodus and Deuteronomy refer to several *beriths* that God made with Israel. This finds further confirmation in Deuteronomy 28: 69 (29: 1), as this text explicitly distinguishes the *berith* made in the land of Moab from the one made at Horeb (מִלְבָּד). According to the Hebrew text, several *beriths* follow upon each other or stand side by side, without anything to suggest that this was regarded as a problem in need of clarification.

2.8 *God and David (Ps. 89: 4; 2 Chron. 21: 7)*

Psalms 89: 4–5(3–4) quotes words of YHWH in which he says that he has made (ברת) a *berith* with (לְ) his chosen one (i.e. David) and has sworn (שבע Niphal) that he will establish his offspring forever and build his throne for all generations. Similarly, 2 Chronicles 21: 7 refers to YHWH's *berith* made (ברת) with (לְ) David, which implies that he had promised to give a lamp (נֵיר) to him and his sons forever.

Comparison of the above with the biblical narrative on God's promise of an everlasting dynasty in 2 Samuel 7 and 1 Chronicles 17 shows that neither of the two chapters use the common terminology for *berith*-making, nor do they describe a ceremony like those found in Genesis 15 or Exodus 24. Not even the word ברית occurs. Instead, the chapters merely set forth that YHWH instructed Nathan to inform David about God's plans for him and his son, and that Nathan complied. The explanation for the differences may be that later writers knew of other traditions, or were convinced that the transmission of Nathan's prophecy was equivalent to *berith*-making. The latter option is preferable, because it requires fewer unknown assumptions.

Nathan's prophecy confirmed God's relationship with David, added an important new element to it, and thus initiated a new phase. Accordingly, the

36 For an extensive discussion of the ברית made in Moab in relation to others mentioned in Deut., the reader is referred to Arie Versluis' contribution to this volume.

37 Thus, e.g., Versluis in his contribution to this volume.

situation is similar to 1 Kings 5: 26(12): whether the new phase is considered a readjustment of an existing relationship or the beginning of a new one is a matter of definition. What is clear, however, is that either as a *berith*-making or otherwise, Nathan's prophecy certainly did not take place at the beginning of God's dealings with David.

The results of the above investigation can be summarized as follows.

1. A *berith* can be made by two parties of equal standing (1 Sam. 23: 18), but it may also be one party that takes the initiative, carries it out, or even imposes the *berith* on the other (Gen. 15; 1 Sam. 18: 3; Jer. 34).
2. A *berith*-making may take place at the beginning of a new relationship (1 Sam. 18: 3). However, in most cases reviewed it marks the confirmation or renewal of an existing relationship (Gen. 15; Deut. 28: 69 [29: 1]; 29: 11[12], 13[14]; 1 Sam. 20: 16; 23: 18; God's *berith* with David) or the restoration of a disturbed one (Exod. 34). In some cases, the act hardly seems to bear on the relationship between those involved and its further development (Jer. 34 and Ezra 10: 3 [i.e. unless לֵאלֹהֵינוּ refers to God as one of the parties]).
3. A *berith* may imply mutual obligations (1 Sam. 20: 16; 23: 18; 1 Kings 5: 26[12]), but the obligations may also be mainly on one side, that is, either the party that takes the initiative (God in Gen. 15 and in the *berith* with David),³⁸ or the one that accepts the proposal to a *berith*-making (Jer. 34; Ezra 10: 3).
4. Several *beriths* between the same parties can follow each other or function side by side, without further comment (God and Israel, Jonathan and David).³⁹

38 On conditional aspects of the obligations of David and his descendants towards God, see Gert Kwakkel, "The Conditional Dynastic Promise in 1 Kings 2:4," in *Reading and Listening: Meeting One God in Many Texts; Festschrift for Eric Peels on the Occasion of His 25th Jubilee as Professor of Old Testament Studies*, ed. Jaap Dekker and Gert Kwakkel, ACEBTSup 16 (Bergambacht: zVM, 2018), 79–87.

39 This is also true for God's *berith* with Abraham, for after Gen. 15 the motif recurs in Gen. 17, which, however, makes use of the verbs נָתַן 'to give' or 'to make' (v. 2) and קוּם Hiphil 'to establish' (vv. 7, 19, 21) instead of בָּרַת. For a brief analysis, see Gert Kwakkel, "Verplichting of relatie: Verbonden in Genesis; Henk de Jong en zijn visie op het verbond" [Obligation or relation: Covenants in Genesis; Henk de Jong and his view of the covenant], in *Verrassend vertrouwd: Een halve eeuw verkondiging en theologie van Henk de Jong* [Surprisingly familiar: Half a century of preaching and theology by Henk de Jong], ed. Jan Bouma, Freddy Gerkema, and Jan Mudde (Franeker: Van Wijnen, 2009), 124–27. Since the phenomenon of successive acts of *berith*-making occurs in several texts, this essay has not resorted to source-critical explanations but has preferred to interpret the final text and evaluate what such an interpretation may reveal about the nature of *berith*-making.

5. The act of *berith*-making can be carried out through a ritual or ceremony (Gen. 15; Exod. 24; Jer. 34), but also without it (cf. God's *berith* with David in particular). In a number of cases, an oath figures in the context, which could indicate that it was an integral part of the act.⁴⁰ However, alternative interpretations are also possible, namely, that the act of *berith*-making is equivalent to taking an oath (as may be the case in Ps. 89: 4[3] and Ezra 10: 5), or that the oath followed the making of the *berith* as an independent act (1 Sam. 20: 17). In any event, God was supposed to be witness of the act, as appears from texts in which his presence is emphasized (1 Sam. 23: 18; Jer. 34: 15; perhaps also Ezra 10: 3).⁴¹

All this bodes ill for the assumption that ברית stands for the relationship between two partners or parties itself. The issue will be pursued further in the next section.

3 Translating ברית

How should one translate ברית? Among the first to be confronted with this question were the Jewish scholars who made the Septuagint. In almost all cases they preferred to translate ברית by διαθήκη.⁴² In classical and non-biblical Hellenistic Greek, διαθήκη corresponds to the English 'disposition.' Mostly, it refers to a specific kind of disposition, namely a last will or testament.⁴³ In this connection, it may suffice to quote one example, which is the more interesting because it uses the same idiom as the Septuagint does to translate ברית, to wit: διατίθεσθαι διαθήκη.

⁴⁰ See also, e.g., Gen. 26: 28–31; Isa. 54: 9 (compared with Gen. 9: 8–17); 2 Chron. 15: 12–15.

⁴¹ It should be noted in passing that a proper discussion of the relation between ברית and oath requires an answer to the question as to what constitutes an oath, given the variety of the Hebrew idiom and potential differences between ancient and modern oath taking.

⁴² The few exceptions are listed in Kutsch, *Verheißung*, 177–78n9.

⁴³ Cf. James Hope Moulton and George Milligan, *The Vocabulary of the Greek Testament: Illustrated from the Papyri and Other Non-Literary Sources* (London: Hodder and Stoughton, 1914–1929), 2:148; Johannes Behm, "διατίθεμαι, διαθήκη," in *TWNT*, 2:127–28. For some critical comments on these authors' views, see Bernard S. Jackson, "Why the Name New Testament?" *Melilah Manchester Journal of Jewish Studies* 9 (2012): 54–55, 60–64. For more details on διαθήκη in Egyptian Greek of the 3rd century BCE, see Adrian Schenker, "Le contrat successoral en droit gréco-égyptien et la διαθήκη dans la Septante," *Zeitschrift für Altorientalische und Biblische Rechtsgeschichte* 6 (2002): 178–83.

In this passage, Peisthetaerus requires from the birds (the Choir) the commitment not to attack or hurt him, to which they consent. Next, he asks them to confirm this by oath, which they also do (414–15). Obviously, the passage does not refer to a disposition and certainly not to a last will, but to an agreement or a compact. Further confirmation for this can be found in *Birds*, 461, where the birds say that they will not be the first to transgress the treaty or truce (σπονδᾶς), apparently referring to the pledge they had just made.⁴⁷

Nevertheless, one can safely state that given the usual meaning of διατίθεσθαι διαθήκη in Hellenistic Greek, the original readers of the Septuagint were probably inclined to interpret the expression as ‘establish a last will’ or ‘make a disposition.’ When confronted with passages such as 1 Kings 5: 26(12), they had to adjust their understanding to the context, which required the meaning ‘make a treaty.’ In any event, the effect of the choice made by the translators – and perhaps also their motive – was to place emphasis on the decision of the person who took the initiative to the ברית and carried it out (mostly God). In other words, it was clearly presented as a gift that he gave to a person or his people, or as a disposition that he imposed on them.⁴⁸

Among later Greek translations, Aquila and Symmachus preferred συνθήκη to διαθήκη as the equivalent of ברית, while Jerome chose *foedus* and *pactum* for the Vulgate,⁴⁹ which implies that they understood ברית as ‘convention,’ ‘compact,’ or ‘treaty.’ Evidently, this fits texts such as 1 Kings 5: 26(12) very well, but the same could also be said about διαθήκη or ‘disposition’ in, for example, Genesis 9: 8–17 and 15: 18, as well as texts in which ברית is used as a synonymous parallel to חֶקֶךָ or חֻקֵּי ‘statute.’⁵⁰

What does this mean for translating ברית into modern languages? Was Kutsch right to argue that *Bund* should not be used in German translations? A major problem with Kutsch’s position is that he did not sufficiently take into account that ברית has diverse aspects of meaning, all of which cannot be grasped in one or two equivalents.⁵¹ The same is true for attempts to provide

47 Pace Kutsch, *Verheißung*, 178n12.

48 Cf. Behm, “διατίθημι, διαθήκη,” 129–30; Annie Jaubert, *La notion d’alliance dans le judaïsme aux abords de l’ère chrétienne*, PatSor 6 (Paris: Seuil, 1963), 311–12.

49 For more details, see Kutsch, *Verheißung*, 181–82, 185–86.

50 1 Kings 11: 11; 2 Kings 17: 15; Isa. 24: 5; Pss. 50: 16; 105: 10; 1 Chron. 16: 17. Cf. Behm, “διατίθημι, διαθήκη,” 129.

51 For an overview of critical reactions to Kutsch published in the last decades of the twentieth century, see Gert Kwakkel, ‘According to My Righteousness’: Upright Behaviour as Grounds for Deliverance in Psalms 7, 17, 18, 26 and 44, OtSt 46 (Leiden: Brill, 2002), 207–8n86.

one definition that would cover all – or almost all – texts in which the noun occurs. The noun might have a more or less technical sense, particularly when it refers to the arrangements that God made with Israel before the Conquest.⁵² Overall, however, ברית is not used as a technical term, such as those referring to well-defined concepts in present academic studies. According to its context, it may stand for solemn promises and dispositions, but also for mutual agreements such as treaties and compacts. The selective overview in the previous section suffices to make this clear.⁵³

As for the idea that ברית stands for the relationship between two persons or between God and his people itself, the overview has not discerned a convincing example of such a case. Admittedly, there are texts in which paraphrasing ברית with a singular suffix referring to God as “the relationship with me/you/him” (i.e. God) would fit the context, but not to the exclusion of paraphrases such as “the way of life prescribed by ... (God).”⁵⁴ On the whole, it seems more appropriate to say that ברית denotes the agreement or convention that is at the base of a relationship or regulates it. If this is correct, it is also conceivable that the noun would be used metonymically to refer to the relationship itself, but the present writer knows of no text in the Old Testament which requires this interpretation, to the exclusion of others.

As for the equivalents of ברית in modern European languages, it follows from the above that the English term covenant corresponds well to the Hebrew ברית, because the primary meaning of covenant in non-ecclesiastical and non-theological usage is: “a formal agreement or promise between two or more people.”⁵⁵ For *alliance* in French, *Bund* in German, and *verbond* in Dutch, things are somewhat different. Apart from denoting an agreement or convention, these words can also refer to the relationship itself and even stand for the community of those related to each other; that is, an association or a

52 Some possible examples are 2 Kings 17: 15; Isa. 56: 4, 6; Jer. 11: 10; 31: 32; Ezek. 44: 7; Ps. 78: 10, 37.

53 Note that diversity is also a key word in the results of Koert van Bakkum's investigation of ancient Near Eastern covenants and treaties in Chapter 2 of this volume.

54 See Isa. 56: 5, 6; Pss. 44: 18(17) and 78: 37; cf. Kwakkel, ‘*According to My Righteousness*’, 206–8.

55 *Cambridge Dictionary*, s.v. “covenant,” accessed September 6, 2018, <https://dictionary.cambridge.org/dictionary/english/covenant>. The dictionary specifies that in British English the noun denotes in particular “a formal agreement to pay a fixed amount of money regularly, especially to a charity,” which of course does not apply to biblical usage. One could add, as Barr has done, that most users will fill in ‘covenant’ from its biblical contexts, which contributes to its suitability to translate ברית; see Barr, “Semantic Notes,” 36.

federation. Conversely, the wide spectrum of meanings to be attributed to ברית in the Old Testament seem not to include the last-mentioned sense.

4 Consequences for Systematic Theology

The research carried out in the previous sections is far from complete. Only a limited number of the texts in which the idiomatic expression ברית occurs have been analyzed. Texts with ברית that do not use this expression were not addressed. Furthermore, nothing has been said about διαθήκη in the New Testament. Still, a few consequences for systematic-theological discourse on covenant can be formulated, although these will necessarily be preliminary in nature.

First, the above investigation, while still incomplete, has shown that the Hebrew noun ברית has various meanings, which cannot all be captured in one definition. At the same time, it has been noted that it rarely, if ever, denotes the relationship between God and people or between human partners alone. Instead, ברית often stands for the official detailed arrangement of a relationship that was already in existence before the ברית was made. What are the consequences of this observation for the use of the term covenant in systematic theology?

Of course, it would be helpful if the way in which systematic theologians make use of the term corresponded to the meaning of covenant in Bible translations when these versions use the English word as the equivalent of ברית and διαθήκη. Conversely, it would be confusing if there is no such correspondence at all. Nevertheless, it is unnecessary and unwise to strive for exact uniformity. In fact, this is an impossible task, given the differences between the nature of biblical texts, which use Greek and Hebrew words in various meanings, and systematic theology, which, as an academic discipline, must use terms such as covenant as consistently as possible.

In this light, it seems preferable for systematic theologians to use the term covenant for the arrangements by means of which God regulates his relationship with humans, and not for that relationship itself. What is more essential, however, is that these theologians provide a clear definition of the sense in which they use the term, or of the concept it denotes, in their research. It would be even better if they could also indicate the differences between their use and the various meanings of the term in the Bible. Furthermore, they should obviously avoid projecting their definition of the term onto the biblical texts, in order to avoid the risk of asking the wrong questions in exegesis and distorting the meaning of the texts.

Second, although the plural of ברית is not attested in biblical Hebrew (except for בריתֶיךָ in Sir. 11: 33),⁵⁶ the Old Testament undeniably mentions several successive *beriths* defining the relationship between God and humans. Should systematic theology follow this lead and adjust its number of covenants to those explicitly mentioned in the texts? In that case, the number will be significantly higher than the few traditionally accepted by Reformed and Presbyterian theology. Conversely, the term 'covenant of works' will no longer be used in theological discourse, because ברית is not mentioned in biblical texts that are thought to refer to this covenant (apart from Hosea 6: 7, whose interpretation is highly disputed).⁵⁷

Just as with the issue of the meaning of covenant, such a precise agreement with biblical usage certainly has its advantages and seems attractive. Nevertheless, choosing this option is less consistent than it appears to be and runs the risk of arbitrariness and biblicism. The fact that the term ברית does not figure into Nathan's prophecy in 2 Samuel 7 does not prevent other biblical texts from speaking of God's ברית with David, when referring to the events set forth in this chapter. Similar things could be said with respect to God's ברית with the Levites mentioned in Jeremiah 33: 21 and Malachi 2: 4, 8. Apparently, biblical authors felt free to use the term if only the events described in other texts matched what they considered to constitute a ברית. Should systematic theologians, then, be obliged to carefully copy the number of covenants mentioned in the Bible, but not be allowed to follow Scripture in this freedom? Such a restriction seems difficult to justify.

Furthermore, according to Deuteronomy 28: 69 (29: 1), Moses made a ברית with the people of Israel besides the one made at Horeb. In his contribution to this volume, Arie Versluis affirms that this covenant may be interpreted as a renewal of the Horeb covenant.⁵⁸ Obviously, the fact that this affirmation does not exactly reproduce the Hebrew idiom of Deuteronomy 28: 69 (29: 1) does not present a problem for the exegete. However, if the Moab covenant is a renewal of the Horeb covenant, theologians are left with the question of how to count these covenants: as two or only one? Biblical scholars should not raise their eyebrows if their colleagues in systematics choose the latter option.

Once again, the essential thing is that systematic theologians are open about the choices they make, as well as about the differences between their terminology and biblical usage. Of course, they cannot escape from scrutinizing biblical

56 In biblical Greek, the plural διαθήκαι occurs more frequently; see, e.g., Ezek. 16: 29; Sir. 44: 12, 18; Rom. 9: 4; Gal. 4: 24.

57 Cf. Hans Burger's contribution to this volume.

58 See Ch. 3, p. 97.

terminology and taking it seriously. Still, exact agreement with biblical terminology cannot be considered the hallmark of systematic-theological discourse that seeks to respect the authority of Scripture. Full conformity can neither be required nor expected, if only for the simple reason that the meanings of a word in one language (e.g. Hebrew) seldom completely agree with those of one equivalent in another (e.g. the modern language used by a contemporary theologian).

In the end, the primary hallmark of biblically sound systematic theology is not its reproduction of the – often unsystematic – terminology of the texts, but its respect for their contents. That requirement will be met if systematic theologians carefully study and make use of all texts providing information about the matters mentioned in their definition of the term or concept under examination (which, admittedly, will be hard if they define covenant as the relationship between God and humans). If this principle is honored and if, in line with this, both biblical scholars and systematic theologians respect the rules and limits of their respective disciplines, there will be a bright future for their cooperation in studying God's covenants and many other topics.

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Biblical Covenants in Their Ancient Near Eastern Context

A Methodological, Historical and Theological Reassessment

Koert van Bekkum

1 Introduction

According to a well-known characterization, YHWH's covenant (in the Old Testament) reflects a promissory relationship that YHWH would be Israel's God and Israel would be YHWH's people.¹ Such a conceptualization is useful in the light of the fact that covenant is a central theological component of both Judaism and Christianity. Yet, theology is also obliged to take a more detailed look at the diverse ways in which the Old Testament refers to God's arrangements with Noah, the patriarchs, Israel, Phinehas, David, and to the new 'covenant' with Israel. This contribution focuses on a specific issue in this area, that is, the ancient Near Eastern background of the relevant biblical texts. More than one hundred ancient treaties from Mesopotamia, Hatti and Syria, and one from Egypt, mostly found in archaeological excavations, have been published.² This has made possible the study of linguistic, historical,

1 Rolf Rendtorff, *The Covenant Formula: An Exegetical and Theological Investigation*, OTS (Edinburgh: T&T Clark, 1998), 62–92.

2 For recent overviews, see Kenneth A. Kitchen and Paul J.N. Lawrence, *Treaty, Law and Covenant in the Ancient Near East* (Wiesbaden: Harrassowitz, 2012); *COS*, 2:93–100 (Itamar Singer), 2:100–6 (Harry A. Hoffner); 4:147–169 (Jacob Lauinger); Amnon Altman, *Political Treaties of the Ancient Near East* (Jerusalem: Bialik Institute, 2018) (Hebrew). Additional material may be found in Samuel Greengus, "Covenant and Treaty in the Bible and the Ancient Near East," in *Ancient Israel's History: An Introduction to Issues and Sources*, ed. Bill T. Arnold and Richard S. Hess (Grand Rapids: Baker Academic, 2014), 91–126; Jack M. Sasson, *From the Mari Archives: An Anthology of Old Babylonian Letters* (Winona Lake: Eisenbrauns, 2015), 92–103, 145–6; Neil A. Huddleston, "Ancient Near Eastern Treaty Traditions and Their Implications for Interpreting Deuteronomy," in *Sepher Torah Mosheh: Studies in the Composition and Interpretation of the Book of Deuteronomy*, ed. Daniel I. Block and Richard L. Schutz (Peabody: Hendrickson, 2017), 3–77; Dominique Charpin, « *Tu es mon sang* »: *Les alliances dans le Proche-Orient ancien*, Docet omnia 4 (Paris: Collège de France, 2019); J. Nicholas Reid, "Ancient Near Eastern Backgrounds to Covenants," in *Covenant Theology: Biblical, Theological, Historical Perspectives*, ed. Guy Waters, Nicholas Reid, and John Muether (Wheaton: Crossway, 2020), 447–65.

pragmatic and religious contexts of the biblical covenants. The relevance of this research for Christian theology is fourfold. It may lead to a better understanding of (1) biblical texts, (2) the date of their composition, (3) the nature of divine revelation, and (4) the image of God in promises and curses.

This enterprise, however, is not without its problems. Scholars generally acknowledge that striking parallels exist between biblical covenantal passages and both the form and content of three types of ancient Near Eastern texts: (1) vassal treaties regulating the relation between an overlord and a vassal or between equal partners, (2) loyalty oaths to a dynasty of foreign overlords, and (3) royal grants describing arrangements in which cities or regions are sanctified and released from taxes. However, the date and nature of these sometimes remarkable analogies are highly contested. Moreover, ancient Near Eastern parallels of a covenant between a divine being and humankind without a king taking part in the agreement hardly exist.³ In addition, the combination of a covenant with an expanded law collection is not attested in the Ancient Near East. Yet, the primary biblical covenantal texts of the Covenant Code of Exodus 20–23, Deuteronomy and the Holiness Code of Leviticus 19–26 include stipulations in civil and criminal law and thus go beyond demanding loyalty and respect for the overlord, the treaty and the sanctuary. Accordingly, it is a matter of intense debate why this is so and to what extent the ancient Israelite concept of covenant is unique.

The next sections of this article shed light on these issues. After first presenting an overview of the history of treaty scholarship up to the 1980s and its reception in theology, the article proceeds with a description of the revival of treaty scholarship since the 1990s, which so far hardly had any theological impact. In the fourth section, the actual reassessment of present scholarly debate is undertaken in a discussion of six methodological issues in comparing and contrasting biblical and non-biblical texts on treaty and covenant. This is comprised of, among other things, the relation between Deuteronomy 13 and 28 and Hittite, and Neo-Assyrian and Aramean treaty texts. A final, concluding section examines some theological implications of the recent revival of treaty studies, highlighting what it means that revelation in scripture makes use of an already existing reality and explaining why the ‘conditional’ or ‘unconditional’

3 One exception is a seventh century BCE Aramaic text from Aršlan Taš on a limestone plaque, which says “Aššur has made an eternal covenant with us (...) along with the sons of ‘El.” Herbert Donner and Wolfgang Röllig, *Kanaanäische und aramäische Inschriften*, 5th ed., vol. 1 (Wiesbaden: Harassowitz, 2002), 7; *COS*, 2:223 (P. Kyle McCarter). For examples of a covenant between a deity and an individual, see Greengus, “Covenant and Treaty,” 104–6.

nature of a biblical covenant can never be determined on the basis of its non-biblical parallel.

2 The Rise and Fall of Treaty Scholarship and Its Reception in Theology

Although covenant had been an important topic in Christian theology for centuries, the most important reflections on the theme in modern biblical studies started only in the 1930s. This was partly due to the view of Julius Wellhausen that ‘covenant’ was not of central importance and was introduced late in the history of the Israelite religion, when the Assyrian threat induced a development in which the “natural bond” between YHWH and Israel was exchanged for a relation defined by “conditions of a moral character.”⁴ As part of the reaction to religious-historical theology after the First World War, Walther Eichrodt published his influential *Theology of the Old Testament* (1933–1939), in which ‘covenant’ was the unifying and central idea. This and other books signalled a new period in which the theme was again intensively discussed.⁵

This reaction gained momentum after the Second World War, when George E. Mendenhall directed attention to the Middle and Late Bronze Hittite vassal treaties (CTE), published by Victor Korošec in 1931.⁶ Mendenhall was firmly convinced that the idea of covenant was deeply rooted in Israel’s traditions. He looked for “some objective criteria for reconstructing the Israelite history and religion” and found these in parallels between biblical covenants and the Hittite six-part structure of treaties as listed by Korošec. Mendenhall shared the form-critical assumption of his day that treaties should have a definite and repeated form. Therefore, in his view, the structure of these texts with (1) a title or preamble, (2) an historical prologue, (3) provisions or stipulations, (4) a command to deposit and read the treaty, (5) list of divine witnesses, and (6) a blessing and curse vindicated the second millennium provenance of biblical covenantal texts. According to Mendenhall, the Decalogue (Exod. 20) in particular and the covenant at Shechem (Josh. 24) reflected the

4 J. Wellhausen, *Prolegomena zur Geschichte Israels*, 6th ed. (1878; repr., Berlin: De Gruyter, 2001), 415–17.

5 W. Eichrodt, *Theologie des alten Testaments*, vol. 1–3 (Leipzig: Hinrichs, 1933–1939). See also, e.g., G.E. Wright, *The Challenge of Israel’s Faith* (Chicago: University of Chicago Press, 1944).

6 V. Korošec, *Hethitische Staatsverträge: ein Beitrag zu ihrer juristischen Wertung*, Leipziger rechtswissenschaftliche Studien 60 (Leipzig: Weicher, 1931). Recent edition and translations: Gary M. Beckman, *Hittite Diplomatic Texts*, WAW 7 (Atlanta: SBL Press, 1996), 11–118; COS, 2:91–106 (Itamar Singer); Kitchen and Lawrence, *Treaty, Law, and Covenant*, 1:293–655; 2:39–70.

second millennium treaty form. He considered Deuteronomy to be a seventh century BCE revival of this tradition.⁷

This approach was soon followed by publications defending the ancient and central nature of covenantal traditions in the Old Testament, with Dennis McCarthy's, *Treaty and Covenant* (1963), as an important example.⁸ In addition, Hebrew verbs and nouns concerned with the relation between YHWH and Israel, such as יָדַע, אָהַב, חָסַד, טוֹב, and רִיב, were interpreted against the background of the treaty-covenant model, while other studies connected biblical texts to the theme of covenant renewal.⁹ Covenant thinking was considered to be so basic in ancient Israel that, apart from Hosea, the eighth century BCE prophets did not need to refer to it and even refrained from using such language in order to avoid a dispute about false perceptions of its meaning.¹⁰

Soon, however, the pendulum would swing back to previous positions. This happened after the discovery of striking parallels between the curses from Deuteronomy 28 and those in Esarhaddon's Succession Treaty (hereafter: EST) from 672 BCE, in which the Neo-Assyrian king secured the subjugation of eight Median princes to his successor Assurbanipal.¹¹ Soon after its publication in 1958, it was argued that the covenant with YHWH in Deuteronomy had to be read as a substitution of a similar seventh century BCE treaty with the king of Assyria. In this way, Josiah of Judah, no longer a vassal of Assyria, made the inhabitants of his kingdom a vassal of YHWH: "Instead of loving the Assyrian king, they will love Yahweh with whole their being."¹² Mendenhall's argument was further undermined by publication of a Neo-Assyrian treaty referring to

7 George E. Mendenhall, "Law and Covenant in Israel and the Ancient Near East," *Biblical Archaeologist* 17 (1954), 26–45, 50–76, quotation on p. 52. K.A. Kitchen, *Ancient Orient and Old Testament* (London: Tyndale, 1966), 99. Kitchen argued that the parallels justified a much earlier date of the book of Deuteronomy.

8 D.J. McCarthy, *Treaty and Covenant: A Study in Form in the Ancient Oriental Documents and the Old Testament*, 2nd ed., AnBib 21A (1963; repr., Rome: Biblical Institute Press, 1978).

9 For an overview and literature, including 'love,' 'peace,' 'vassal' or 'slave,' 'lord,' 'friend,' 'ally,' and metaphorical uses of the kinship terms 'father,' 'son,' and 'brother,' see P. Kalluveetil, *Declaration and Covenant: A Comprehensive Review of Covenant Formulae from the Old Testament and the Ancient Near East*, AnBib 88 (Rome: Biblical Institute Press, 1982).

10 R.E. Clements, *Prophecy and Covenant*, SBT 43 (London: SCM, 1965).

11 D.J. Wiseman, "The Vassal Treaties of Esarhaddon," *Iraq* 20 (1958), 1–99. Recent editions and translations: Simo Parpola and Kazuko Watanabe, eds., *Neo-Assyrian Treaties and Loyalty Oaths*, SAA 2 (Helsinki: Helsinki University Press, 1988), 28–58; Kitchen and Lawrence, *Treaty, Law, and Covenant*, 1:963–1002, 2:96–98; COS, 4:155–66 (Jacob Lauinger).

12 Rintje Frankena, "The Vassal-Treaties of Esarhaddon and the Dating of Deuteronomy," in *OtSt* 14 (1965), 122–54 (quotation on 153); Moshe Weinfeld, "Traces of Assyrian Treaty Formulae in Deuteronomy," *Biblica* 46 (1965), 417–27; idem, *Deuteronomy and the Deuteronomistic School* (Oxford: Clarendon), 1972, 117–27.

previous relations between partners of the treaty.¹³ Moshe Weinfeld broadened the debate, first by drawing attention to analogies with ancient Near Eastern land grants, and then to striking parallels between EST and Deuteronomy 13.¹⁴ Yet the harvest of the Neo-Assyrian parallels was picked up most eloquently by Lothar Perlitt, who reformulated Wellhausen's views in a straightforward way: (1) ברית does not refer to a relationship, but to an obligation; (2) neither pre- nor proto-deuteronomistic covenantal texts exist; (3) covenant theology in the Old Testament in fact started with Joshua 24, which is to be interpreted as a reaction to the Neo-Assyrian cult in the temple of Jerusalem during the reign of king Manasseh of Judah; and (4) the deuteronomistic, deuteronomistic and later covenantal texts all arose from this beginning.¹⁵

Few scholars agreed with Perlitt's view on Joshua 24. He also seemed to underestimate how deeply the assumption of a relationship regulated by a ברית affected the law collections of the Covenant Code, the Holiness Code, and Deuteronomy. But – in terms of Noel Weeks – the “rise of treaty scholarship” was now followed by a “fall.” It was generally assumed that the study of the ancient Near Eastern parallels had enriched the understanding of biblical texts, but also had confirmed the traditional dating of Deuteronomy as a text undergirding the cultic reform of Josiah of Judah.¹⁶

In the meantime, however, Mendenhall's legacy was welcomed as an important contribution to covenant theology in Reformed theological circles, in particular among those adhering to the Westminster Confession of Faith (1646).¹⁷

13 K. Deller and S. Parpola, “Ein Vertrag Assurbanipals mit dem arabischen Stamm Qedar,” *Orientalia* 50 (1968), 464–66; Kitchen and Lawrence, *Treaty, Law, and Covenant*, 1:1009–12, 2:98–100.

14 M. Weinfeld, “The Covenant of Grant in the Old Testament and in the Ancient Near East,” *Journal of the American Oriental Society* 90 (1970), 184–203; idem, *Deuteronomy and the Deuteronomistic School*, 91–100.

15 L. Perlitt, *Bundestheologie im Alten Testament*, WMANT 36 (Neukirchen-Vluyn: Neukirchener Verlag, 1969).

16 Noel Weeks, *Admonition and Curse: The Ancient Near Eastern Treaty/Covenant Form as a Problem in Intercolonial Relationships*, JSOTSup 407 (Edinburgh: T&T Clark, 2004), 5–6.

17 Remarkably, Dutch Reformed theology remains almost entirely silent on the issue of the ancient Near Eastern background of covenant theology. See, e.g., J. van Genderen and W.H. Velema, *Beknopte gereformeerde dogmatiek* [Concise reformed dogmatics] (Kampen: Kok, 1992), 92; Cornelis van der Kooi and Gijsbert van den Brink, *Christian Dogmatics: An Introduction* (Grand Rapids: Eerdmans, 2017), §§ 6.4, 8.4, 9.5. Views similar to those of Kline and Kitchen (see below), however, are presented in monographs and commentaries. See G. van Rongen, *Zijn vast verbond. Studies over de bijbelse verbonden in het licht van buiten-bijbelse verbondsteksten* [His stable covenant: studies on the biblical covenants in the light of extra-biblical covenants] (Goes: Oosterbaan & Le Cointre, 1966); C. Vonk, *De voorzeide leer; de Heilige Schrift 1c: Numeri-Deuteronomium*

Inspired by the formal parallel with Hittite treaties and similarities between passages in Deuteronomy and the curses in EST and in eighth century BCE Old Aramaic Sefire inscriptions, Meredith Kline viewed Deuteronomy as a whole as a second millennium BCE treaty between YHWH, the Great King, and Israel, his people. In addition, he interpreted the rituals of circumcision and baptism from this point of view and applied this model to the biblical canon as a whole in order to describe divine authority. Kline used Weinfeld's distinction between vassal treaties as "covenants of obligation" and land grants as "covenants of promise" in distinguishing between the Sinaitic covenant on the one hand and the covenant with Abraham and David on the other.¹⁸ In this way, he offered new, biblical substantiation of the idea that the "Mosaic covenant" between YHWH and Israel was in some sense a "republication" of the "covenant of works" as mentioned in the Westminster Confession of Faith 7.2. Since then, this idea is promoted among Presbyterian theologians, while it is also suggested that it has a rich history in the Reformed tradition.¹⁹ Other scholars offer more nuanced biblical-theological reflections. Yet, establishing whether a 'covenant' is to be compared with a 'treaty-type' or a 'grant-type' remains an important point of departure in their explanation of biblical texts and concepts.²⁰

[Opening the Scriptures: Numbers-Deuteronomy] (Barendrecht: Drukkerij Barendrecht, 1966–1968), 403–9; M.J. Paul, G. van den Brink, and J.C. Bette, *Bijbelcommentaar Leviticus/Numeri/Deuteronomium* [Bible Commentary Leviticus/Numbers/Deuteronomy], SBOT (Veenendaal: Centrum voor Bijbelonderzoek, 2005), 766–67.

- 18 M.G. Kline, *The Treaty of the Great King* (Grand Rapids: Eerdmans, 1963); idem, *By Oath Consigned: A Reinterpretation of the Covenant Signs of Circumcision and Baptism* (Grand Rapids: Eerdmans, 1968); idem, *The Structure of Biblical Authority* (Grand Rapids: Eerdmans, 1972). For Weinfeld's distinction, see his 'Covenant of Grant' (note 14 above) and idem, *The Promise of the Land: The Inheritance of the Land of Canaan by the Israelites* (Berkeley: University of California Press, 1993), 222–36. The Sefire 1–11 inscriptions had been published by J.A. Fitzmyer, "The Aramaic Inscriptions from Sefire I and II," *Journal of the American Oriental Society* 81 (1961), 178–222. For recent editions and translations, see idem, *The Aramaic Inscriptions of Sefire*, 2nd ed., BibOr 19a (Rome: Biblical Institute Press, 1995); Donner and Röllig, *Kanaanäische und aramäische Inschriften*, 1:52–6; 2:238–64; Kitchen and Lawrence, *Treaty, Law, and Covenant*, 1:917–934, 2:89–92.
- 19 Michael Horton, *God of Promise: Introducing Covenant Theology* (Grand Rapids: Baker 2006); Bryan D. Estelle, J.V. Fesko, and David VanDrunen, eds., *The Law is Not of Faith: Essays on Works and Grace in the Mosaic Covenant* (Phillipsburg: P&R, 2009). Horton mainly refers to Delbert R. Hillers, *Covenant: The History of a Biblical Idea* (Baltimore: Johns Hopkins, 1969).
- 20 See, e.g., Scott W. Hahn, *Kinship by Covenant: A Canonical Approach to the Fulfillment of God's Saving Promises*, AYBRL (New Haven: Yale University Press, 2009), chap. 2–7. An exception is Peter J. Gentry and Stephen J. Wellum, *Kingdom Through Covenant: A Biblical Theological Understanding of the Covenants* (Wheaton: Crossway, 2012), 129–45.

3 The Revival of Treaty Scholarship

In biblical and ancient Near Eastern Studies, however, treaty scholarship started to thrive again in the late 1990s, a development that continues with further research on the topic.

This revival began with the observation that in Pentateuchal research it became increasingly less clear which literary-critical criteria could be applied to distinguish between so-called 'pre-deuteronomic,' 'deuteronomic,' 'deuteronomistic,' and 'post-deuteronomistic' texts in Deuteronomy and the Pentateuch as a whole.²¹ Accordingly, scholars started to look for external, empirically verified points of departure to serve as criteria. Now that the seventh century BCE literary *Vorlage* of some passages in Deuteronomy 13 and 28 seemed to have been firmly established,²² Eckart Otto proposed that the deuteronomic reworking of the Covenant Code in Deuteronomy 12–26 was preceded by a direct translation of EST § 10 and 56 in Deuteronomy 13 and 28.²³ Bernard Levinson and Jeffrey Stackert in their turn tried to offer coherent interpretations of Deuteronomy 13 with the help of EST § 10 and other Neo-Assyrian Texts. In their view, the reworking of Neo-Assyrian texts highlighted that EST had provided the "conceptual template" for a reinterpretation of the Covenant Code in Deuteronomy.²⁴ In a next step, scholars also explored

21 Eckart Otto, *Das Deuteronomium: Politische Theologie und Rechtsform in Juda und Assyrien*, BZAW 284 (Berlin: De Gruyter, 1999), 32–33.

22 Paul E. Dion, "Deuteronomy 13: The Suppression of Alien Religious Propaganda in Israel during the Late Monarchical Era," in *Law and Ideology in Monarchic Israel*, ed. Baruch Halpern and Deborah W. Hobson, JSOTSup 124 (Sheffield: Sheffield Academic Press, 1991), 147–216; Hans Ulrich Steymans, *Deuteronomium 28 und der adē zur Thronfolgeregelung Asarhaddons: Segen und Fluch im Alten Orient und Israel*, OBO 145 (Freiburg: Universitätsverlag, 1995).

23 Eckart Otto, "Vom Bundesbuch zum Deuteronomium: Die deuteronomische Redaktion in Dtn 12–26," in *Biblische Theologie und gesellschaftlicher Wandel: Für Norbert Lohfink*, ed. Georg Braulik, Walter Gross, and Sean McEvenue (Freiburg: Herder, 1993), 260–78; idem, "Treueid und Gesetz: die Ursprünge des Deuteronomiums im Horizont neuassyrischen Vertragsrechts," *Zeitschrift für altorientalische und biblische Rechtsgeschichte* (1996), 1–52; idem, "Das Deuteronomium als archimedischer Punkt in der Pentateuchkritik: Auf dem Wege zu einer Neubegründung der de Wette'schen Hypothese," in *Deuteronomy and Deuteronomic Literature: Festschrift C.H.W. Brekelmans*, ed. Marc Vervenne and Johan Lust, BETL 133 (Leuven: Peeters, 1997), 321–39; idem, *Das Deuteronomium*, 15–90.

24 Bernard M. Levinson, *Deuteronomy and the Hermeneutics of Legal Innovation* (Oxford: Oxford University Press, 1997); idem, "The Right Chorale": *Studies in Biblical Law and Interpretation*, FAT 54 (Tübingen: Mohr Siebeck, 2008), 112–94; idem, "The Neo-Assyrian Origins of the Canon Formula in Deuteronomy 13:1," in *Scriptural Exegesis: The Shapes of Culture and the Religious Imagination. Essays in Honour of Michael Fishbane*, ed. Deborah A. Green and Laura S. Lieber (Oxford: Oxford University Press, 2009), 25–45;

to what extent this theory could function as a further substantiation of the so-called *Reichsautorisation*-hypothesis, that is, the idea that the Persian imperial administration gave the decisive impulse for the final compilation of the Torah as an authoritative set of scriptures.²⁵

In addition to these efforts, new studies on the Hittite treaties and land grants by legal historians offered a better overview of the cuneiform treaty tradition.²⁶ This research pointed out that second millennium BCE Hittite treaties and edicts occupy a central place in the genre, not only chronologically, but also in terms of structure. Ancient Near Eastern treaties usually highlight personal loyalty, military alliance, payment of tribute, the drawing of boundaries, and a list of deities to back up curses to one or both partners. Historical prologues, however, are hardly found elsewhere. These prologues as such do not determine the category of the treaty and do not seem to be indispensable, but they occur frequently in treaties once the Hittites had become a great power at the end of the fifteenth century BCE, often in connection with loyalty oaths. This indicates that they were used to justify imposition of the treaty in presence of the vassal.²⁷ Hittitologists frequently observe that it is striking that this pecu-

Bernard M. Levinson and Jeffrey Stackert, "Between the Covenant Code and Esarhaddon's Succession Treaty," *Journal of Ancient Judaism* 3 (2012), 123–40 (quotation on 137).

25 For an overview, see Gary N. Knoppers and Bernard M. Levinson, *The Pentateuch as Torah: New Models of Its Promulgation and Acceptance* (Winona Lake: Eisenbrauns, 2007), 1–19.

26 See, e.g., Gary A. Beckman, "Hittite Treaties and the Development of the Cuneiform Treaty Tradition," in *Die deuteronomistischen Geschichtswerke: Redaktions- und religionsgeschichtliche Perspektive zum „Deuteronomismus“-Diskussion in Tora und Vorderen Propheten*, ed. M. Witte et al., BZAW 365 (Berlin: De Gruyter, 2006), 279–301; Amnon Altman, *The Historical Prologues of the Hittite Vassal Treaties: An Inquiry into the Concepts of Hittite Interstate Law* (Ramat-Gan: Bar-Ilan University Press, 2004); idem, "How Many Treaty Traditions Existed in the Ancient Near East?," in *Pax Hethitica. Studies on the Hittites and their Neighbours in Honour of Itamar Singer*, ed. Yoram Cohen, Amir Gilan, and Jared L. Miller (Wiesbaden: Harrassowitz, 2010), 17–36; Elena Devecchi, "Treaties and Edicts in the Hittite World," in *Organization, Representation, and Symbols of Power in the Ancient Near East*, ed. Gernot Wilhelm (Winona Lake: Eisenbrauns, 2012), 637–45; idem, "(Re-)defining the corpus of the Hittite treaties," *Zeitschrift für altorientalische und biblische Rechtsgeschichte* 19 (2013), 89–98.

27 Elena Devecchi, "Review of Altman, *Historical Prologues*," *Zeitschrift für Assyriologie und vorderasiatische Archäologie* 98 (2008), 147–52. Sometimes prologues even offer conflicting accounts of previous history, as shown by the treaties between Šuppiluliuma I and Niqmaddu II of Ugarit (CTH 46 and 47). Here, the new prologue was "a way of pressing the reset button on the relationship." Joshua A. Berman, *Inconsistency in the Torah: Ancient Literary Convention and the Limits of Source Criticism* (New York: Oxford University Press, 2017), 72, cf. Weeks, *Admonition and Curse*, 81–82.

liarity also appeared in ancient Israel and raise the question how the Israelite scribes became acquainted with this tradition.²⁸

These reflections opened up new possibilities in the critical discussion regarding the dependency of Deuteronomy 13 and 28 on EST. Christoph Koch underlined the continuity of the treaty genre in the Ancient Near East. In his view, Aramean inscriptions suggested that Judean scribes of the eighth century BCE had become familiar with the form and content of the Hittite and Neo-Assyrian treaty traditions due to mediation by Aram. Deuteronomy 13 and 28 were later additions, composed by exilic 'deuteronomistic' authors.²⁹ Carly Crouch in turn observed that both the Aramaic treaties and Deuteronomy 28 contain few Neo-Assyrian loanwords. The biblical chapter seems to be much more concerned with its target audience than with creating a subversive version of a Neo-Assyrian loyalty treaty.³⁰ Accordingly, she prefers to read Deuteronomy as a text reflecting late pre-exilic Southern Levantine struggles for political identity.³¹

The monographs of Koch and Crouch hint at the fact that, in recent treaty scholarship, study of Aramaic treaty texts has become a full-fledged field of research alongside study of Hittite and Neo-Assyrian texts. It already had been suggested that these treaties reflected a different, West Semitic tradition.³² Now, more detailed studies of the relation between the Aramaic blessings and curses and Leviticus 26 and Deuteronomy 28, and of cultic and ritual setting(s) of these texts have opened up new windows of research. The so-called 'futility curses' in Aramaic inscriptions on the one hand and in Leviticus 26: 26, Deuteronomy 28: 30–31, 38–41 and some prophetic texts on the other indeed

28 Beckman, "Hittite Treaties," 287–98; Zsolt Simon, "Die angenommenen hethitisch-biblischen kulturellen Parallelen: Das Problem der Vermittlung," *Biblische Notizen* 156 (2013), 30–31; Birgit Christiansen and Elena Devecchi, "Die hethitischen Vasallenverträge und die biblische Bundeskonzeption," *Biblische Notizen* 156 (2013), 77–81.

29 Christoph Koch, *Vertrag, Treueid, und Bund: Studien zur Rezeption des altorientalischen Vertragsrechts im Deuteronomium und zur Ausbildung der Bundestheologie im Alten Testament*, BZAW 383 (Berlin: De Gruyter, 2008).

30 Carly L. Crouch, *Israel and the Assyrians: Deuteronomy, the Succession Treaty of Esarhaddon, and the Nature of Subversion*, ANEM 8 (Atlanta: SBL Press, 2014), 47–124.

31 Crouch, *Israel and the Assyrians*, 125–78; idem, *The Making of Israel: Cultural Diversity in the Southern Levant and the Formation of Ethnic Identity in Deuteronomy*, VTSup 162 (Leiden: Brill, 2014).

32 Cf. McCarthy, *Treaty and Covenant*, 98–104; William Morrow, "The Sefire Treaty Stipulations and the Mesopotamian Treaty Tradition," in *The World of the Aramaeans: Studies in Language and Literature in Honour of Paul-Eugène Dion*, ed. P.M. Michèle Daviau, Michael Weigl, and John W. Wevers, vol. 3, JSOTSup 326 (Sheffield: Sheffield Academic Press, 2001), 83–99.

belonged to a separate Northwest Semitic curse tradition.³³ Laura Quick uses this observation to arrive at a rather traditional outcome. In her view, Judean scribes wrote Deuteronomy 28 in order to show that “a new covenantal agreement between Yahweh and Judah has replaced the treaty imposed by the Assyrian overlords.”³⁴ A detailed look, however, at the translation style of the ninth century BCE bilingual (Akkadian-Aramaic) Tell Fekheriyeh inscription falsifies the idea that Deuteronomy 28 is based on a direct translation of a known Akkadian text.³⁵ More spectacular are the conclusions of Melissa Ramos. She considers the possibility that an older Northwest Semitic curse tradition spread into the Neo-Assyrian Empire in the eighth century BCE. Moreover, her analysis of the rituals and of curse language in non-biblical texts and of Deuteronomy 27–28 surprisingly highlights the unity of the biblical chapters.³⁶

None of the aforementioned scholars who discuss the Old Aramaic treaties call into question the traditional seventh century BCE dating of Deuteronomy. Others, however, do. Markus Zehnder summarized previous criticism of the supposed parallels between EST and Deuteronomy 6, 13 and 28, and added a detailed comparison of both texts, showing indeed the presence of many analogies, but also showing a lack of complete agreement with regard to the exact wording and the larger sequence of curses. This makes it hard to argue for direct dependence of Deuteronomy on EST. Zehnder interpreted EST as a text arranging the loyalty oaths of high ranking officials from all parts of the Assyrian empire serving in the inner circle of the court, and therefore called into question the assumption that Judean scribes had direct access to it.³⁷ Furthermore, he listed parallels between Deuteronomy and EST also occurring in Hittite, Aramaic and other Neo-Assyrian treaties, and specific parallels between EST and these treaties. Accordingly, the closest parallel to EST-loyalty oaths is not Deuteronomy, but two 13th century BCE Hittite archival documents of Tudhaliya IV. Finally, Zehnder argued that Israelite writers inherited

33 Krzysztof J. Baranowski, “The Old Aramaic and Biblical Curses,” *Liber Annuus* 62 (2012), 173–201; Melissa Ramos, “A Northwest Semitic Curse Formula: The Sefire Treaty and Deuteronomy 28,” *Zeitschrift für die alttestamentliche Wissenschaft* 128 (2016), 205–20; Laura Quick, *Deuteronomy 28 and the Aramaic Curse Tradition*, Oxford Theology and Religion Monographs (Oxford: Oxford University Press, 2018), 68–136.

34 Quick, *Deuteronomy 28 and the Aramaic Curse Tradition*, 137–85, quote on 183.

35 Jeremy M. Hutton and C.L. Crouch, “Deuteronomy as a Translation of Assyrian Texts: An ‘Optimal Translation Approach,’” *Hebrew Bible and Ancient Israel* 7 (2018), 201–52.

36 Melissa Ramos, “Spoken Word and Ritual Performance: The Oath and the Curse in Deuteronomy 27–28,” PhD thesis, UCLA, 2015.

37 Markus Zehnder, “Building on Stone? Deuteronomy and Esarhaddon's Loyalty Oaths,” pt. 1, *Bulletin for Biblical Research* 19 (2009), 341–74.

unique elements from Hittite and Aramaic traditions independently. In his view, parallels with Middle Assyrian Laws and structural analogies with Hittite treaties can be used to support a second millennium dating of Deuteronomy. At the same time, he did not want to exclude the possibility that the book was extended, adapted, and modified under Neo-Assyrian influence before it reached its final canonical form.³⁸

Zehnder's nuanced approach met praise, but was also kindly dismissed because of the discovery of another copy of EST outside the Assyrian heartland at Tell Ta'yinat in the North Orontes area (South Turkey) in 2009. This find affirmed that scribes across the empire had knowledge of the succession treaty.³⁹ Furthermore, the assertive statements of Joshua Berman in several influential publications, arguing that the Late Bronze Hittite treaties provided a much better ancient Near Eastern parallel for Deuteronomy than EST, attracted more attention. Berman explicitly linked Deuteronomy 13 to a fifteenth century treaty of Aruwanda I of Hatti (CTH 133). He also asserted that the rewriting and updating of history in Deuteronomy 1–3 reflected traditions of this period, while highlighting in particular that ancient Near Eastern and Hebrew texts reflect a different kind of unity than is often expected in biblical studies.⁴⁰ This was followed by a lively exchange of opinions between Levinson and Stackert on the one hand and Berman on the other.⁴¹

In the light of these recent discussions, Kenneth A. Kitchen's and Paul J.N. Lawrence's overview of treaties, laws and covenants from the Ancient Near East and their reflections on the development of these genres is generally acknowledged to be a major achievement.⁴² In their view, the second millennium date of "segments of proto-Exodus + Leviticus" and "much of the basic of Deuteronomy and Joshua 24" is firmly established by "fact-based links and

38 Markus Zehnder, "Building on Stone? Deuteronomy and Esarhaddon's Loyalty Oaths," pt. 2, *Bulletin for Biblical Research* 19 (2009), 511–35.

39 Quick, *Deuteronomy 28 and the Aramaic Curse Tradition*, 32–6; cf. Kazuko Watanabe, "Esarhaddon's Succession Oath Documents: Reconsidered in Light of the Tayinat Version," *Orient* 49 (2014), 145–70; Frederick Mario Fales, "After Ta'yinat: the New Status of Esarhaddon's *adê* for Assyrian Political History," *Revue d'assyriologie et d'archéologie orientale* 106 (2016), 133–58.

40 Joshua A. Berman, "CTH 133 and the Provenance of Deuteronomy 13," *Journal of Biblical Literature* 130 (2011), 25–44; idem, "Histories Twice Told: Deuteronomy 1–3 and the Hittite Treaty Prologue Tradition," *Journal of Biblical Literature* 132 (2013), 229–50; idem, *Inconsistency in the Torah*, 63–103; cf. idem, *Created Equal: How the Bible Broke with Ancient Political Thought* (New York: Oxford University Press, 2008), 29–44.

41 See *Journal of Ancient Judaism* 3 (2012), 123–140; 4 (2013), 297–309, 310–33.

42 See note 2 above.

contrasts” with “Hittite material.”⁴³ This claim, however, is highly contested. Concerns and criticism of their proposal include their definitions of ‘treaty,’ ‘law,’ and ‘covenant,’ the selection and sometimes also the presentation and translation of ancient Near Eastern texts, lack of attention to (archaeological and ideological) contexts, proposed hypotheses for the development of the genre, and the nature of the comparisons. At the least, it is hardly convincing that the volumes present biblical accounts of covenant enactments detached from their narrative contexts, and as documents written in a “late Canaanite” language, with *matres lectionis* placed between parentheses and the feminine ending *-ā* emended into *-t*. This suggests an external control could be identified for dating these accounts by studying their materiality, script, archaeological context and date formulas. Obviously, however, this is hardly the case, for these texts were transmitted by religious communities over centuries.⁴⁴ Unfortunately, it also seems that scholarship in large part found an alibi in these flaws to escape re-examination of ideas about biblical covenants in the light of this much larger corpus.⁴⁵

4 Methodological Considerations

Both the revival of treaty scholarship and its neglect in biblical and systematic theology call for methodological considerations which may help clear the field and offer a better picture of the spectrum of historical developments. Only in this way can a proper framework for a theological reconsideration of the

43 Kitchen and Lawrence, *Treaty, Law, and Covenant*, 3:259–61.

44 For details, see, e.g., Ben Boeckel, “Doing Form Criticism with Slippery Genres: A Review of *Treaty, Law and Covenant*,” *Hebrew Studies* 55 (2014), 411–30; Louis R. Siddal, “Review of Kitchen and Lawrence, *Treaty, Law and Covenant*,” *Buried History* 51 (2015), 67–69; Kenneth Bergland, “Review of Kitchen and Lawrence, *Treaty, Law and Covenant*,” *Reviews of the Enoch Seminar* (2015). <http://enochseminar.org/review/6508>; Eva von Dassow, “Treaty, Law and Bible in Literalist Theory,” *Ancient Near Eastern Studies* 53 (2016), 287–98; Jacob Lauinger, “Approaching Ancient Near Eastern Treaties, Laws, and Covenants,” *Journal of the American Oriental Society*, 136 (2016), 125–34; Charpin, « *Tu es mon sang* », 251–54; Noel Weeks, “Problems with the Comparative Method in Old Testament Studies,” *Journal of the Evangelical Theological Society* 62 (2019), 287–306.

45 Cf. Richard S. Hess, “Review of Kitchen and Lawrence, *Treaty, Law and Covenant*,” *Bulletin for Biblical Research* 24 (2014), 532. An example from Mari (ARMT 26.2) shows that sometimes an overlap exists between a treaty text and a so-called treaty report. For a discussion of this text, see Kitchen and Lawrence, *Treaty, Law and Covenant*, 1:65–66, 70–71, 3:117–18; Boeckel, “Slippery Genres,” 425; Dassow, “Literalist Theory,” 291; Charpin, « *Tu es mon sang* », *passim*.

biblical covenants be constructed. The rest of this section identifies six such issues, mainly based on the latest phase in research.

(a) The first issue is the *selection of the evidence* for study. Several collections from the third to the first millennia BCE can be justified and it is impossible to include all related texts from Mesopotamia, Assyria, Hatti and the Levant. The methodological problem, however, is that a small development in the relation between treaty partners or a tiny textual modification sometimes implies that the new text is no longer considered to belong to the corpus under study, because the treaty has changed into a decree or an edict.⁴⁶ Scholars therefore rightly argue that it is important to include, for instance, oath protocols from early second millennium Mari, edicts of restoration from the same period, Hittite instructions, and edicts and decrees of the Neo-Assyrian kings.⁴⁷

A similar phenomenon can be observed in the biblical material. If the divine promises to David in 2 Samuel 7 had not been referred to as a ברית in Psalms 89: 29(28), 35(34), 40(39) and 132: 12, many would have hesitated to describe the chapter as a narrative account of a covenant enactment. In addition, the chapters on the tabernacle in Exodus 25–31 and 35–40 play an important part in the redefinition of the covenant of Exodus 19–24 in Exodus 34, while it is also hard to understand Leviticus, and thus the Holiness Code, without the first chapters of the biblical book. Unlike their ancient Near Eastern parallels, Old Testament laws also function as stipulations in a treaty and as legally binding norms for all of the members of the community, and not only for the king and his entourage. This again shows how covenant texts need to be read in their broader contexts.

(b) A second major question is the *number of treaty traditions and the nature of their development*. McCarthy distinguished only two sub-groups, the Hittite with its historical section and the Syrian-Assyrian with its curses.⁴⁸ Recent scholarship, however, is much more aware of the complexity of this question. Some researchers speak of “national” treaty traditions and accordingly organize them geographically,⁴⁹ while others use chronological categories and distinguish four phases from the late third millennium to the first millennium BCE.⁵⁰

As a result, mostly only general arrangements of the number of treaty traditions and the development of the genre are presented. Two main factors

46 Weeks, *Admonition and Curse*, 174; Altman, “How Many Treaty Traditions,” 17.

47 E.g. Lauinger, “Approaching Treaties,” 125–26, and Weeks, “Problems with the Comparative Method,” 296–297, who also draws attention to letters from the same context indicating the complexity of the Hittite treaties (291).

48 McCarthy, *Treaty and Covenant*, 151.

49 Weeks, *Admonition and Curse*, 6–10.

50 Altman, “How Many Treaty Traditions,” 17–32. Kitchen and Lawrence, *Treaty, Law and Covenant*, 3:243–66; Reid, “Ancient Near Eastern Backgrounds,” 453.

explain this situation. First, it is hard to understand how modern categorizations relate “to indigenous categories, or to the ways the documents under discussion were conceptualised by those who produced them.”⁵¹ A second factor is the uneven geographical and chronological distribution of the documents that have survived and the fact that in many cases, their opening or concluding sections are missing. Accordingly, Altman even states that the question of how many treaty traditions existed in the Ancient Near East might never find a solution.⁵²

Nevertheless, Neil A. Huddleston recently has tried to offer a more specific overview of available textual remains by exploring them with the help of discourse analysis. When the results of this analysis are placed in a known geopolitical framework from ancient Near Eastern history, seven treaty traditions and three potential local treaty traditions can be distinguished.⁵³ Although this method is limited by its purely linguistic and synchronic approach, its results may contribute significantly to the debate. For instance, they substantiate the assumption in recent scholarship that surviving treaty texts belonged to a complex network of interconnected political and religious spheres of influence.

(c) A third methodological issue deserving careful treatment regards the *physical and pragmatic contexts of texts*. Treaty texts often contain indications that writing the text down reinforced its content, that it had to be deposited and periodically read out loud in a ritual by those under oath.⁵⁴ In cases where

51 Von Dassow, “Literalist Theory,” 288. Ongoing study of words and concepts related to the idea of an agreement, such as ברית and עדות (Hebrew), *rikištum/rikiltum* and *riksum* (Akkadian), *išhiul* (Hittite), עדיא (Aramaic), and *adê* (a Neo-Assyrian *plurale tantum*, possibly an Aramean loanword going back to Amorite), may possibly shed some light on this issue. For recent overviews of the terms and its related concepts, see CAD, R, s.vv.; HW, s.vv.; Ada Taggar-Cohen, “Biblical Covenant and Hittite *išhiul* Reexamined,” *Vetus Testamentum* 61 (2011), 463–75; Jean-Marie Durand, “Réalités amorrites et traditions bibliques,” *Revue d’assyriologie et d’archéologie orientale* 92 (1998), 3–39; Jacob Lauinger, “The Neo-Assyrian *adê*: Treaty, Oath, or Something Else?,” *Zeitschrift für altorientalische und biblische Rechtsgeschichte* 19 (2013), 99–117; Neil A. Huddleston, “Deuteronomy as *Mischgattung*: A Comparative and Contrastive Discourse Analysis of Deuteronomy and Ancient Near Eastern Treaty Traditions,” PhD thesis, Trinity Evangelical Divinity School, 2015, 34–44.

52 Altman, “How Many Treaty Traditions,” 17; cf. Elena Devecchi, “Treaties, ancient Near East,” in *Encyclopedia of Ancient History*, ed. Roger S. Bagnall et al. (Oxford: Blackwell, 2013), 6836.

53 Huddleston, “Deuteronomy as *Mischgattung*,” 23–45, 209–410, 411–17; idem, “Ancient Near Eastern Treaty Traditions,” 33–63.

54 E.g. CTH 68, I iv 1’–8’ (Muršili II of Hatti and Kupanta-Kurunta of Mira-Kuwaliya); CTH 76, A iii 73–83 (Muwatalli II of Hatti and Alaksandu of Wilusa). Beckman, *Hittite Diplomatic Texts*, 76, 86. SAA 9.3 ii 27–32. Simo Parpola, *Assyrian Prophecies*, SAA 9 (Helsinki: Helsinki University Press, 1997), 25.

these indications are missing, this might have been clear from the iconographical and spatial context of the text. A few examples may suffice in order to show how information regarding these aspects can be crucial for interpretation of the texts.

Most Hittite treaties with Syrian vassals are known from archival copies on large, flat clay tablets. The bronze and silver originals have been lost, with one exception. They were deposited in the presence of witnesses in the temples of the highest deities of both parties. The Hittite edicts on rights and obligations of the kings of Ugarit constitute an exception to this practice. Official copies of these texts were drawn up in the archives of the vassal's capital, thus indicating that the edicts were substantially different than the subjugation treaties.⁵⁵

The early eighth century BCE Aramaic Sefire Stela 1, a treaty between the king of Arpad and a ruler from Mesopotamia, explicitly mentions that the self-curses in the treaty had to be read aloud, probably in order to heighten the fear of the vassal. Interestingly, the dialogue to be performed by the overlord and his vassal contains notable performative syntactical features, such as a switch from first person pronouns and verbs to second. Apparently, interaction between written display and oral performance provided another means for securing obedience to the terms of the treaty.⁵⁶

The immense importance of this ritual aspect of the tablets becomes evident as one takes a more detailed look at EST – the text that has dominated treaty scholarship since its publication in 1958. The then published tablets containing the loyalty oath of eight Median vassal-kings had been stored in the throne room of Nabu's temple in Kalḫu (Tell Nimrud) from 672 BCE until the destruction of the city in 612 BCE. A fragment of the same text has been found in Aššur, another Assyrian capital. Both archaeological contexts suggest that the tablets were deposited at central places in the Assyrian empire to which tribute was brought in an annual ceremony, as a regular confirmation of the destiny of the vassals.⁵⁷ The abovementioned find of a new version of EST at Tell Ta'yinat (ancient Kunulua) in south Turkey in 2009, sheds light on a different aspect, that is, how this imposition of a loyalty oath was perceived in the

55 Devecchi, "Treaties and Edicts in the Hittite World," 642; Charpin, « *Tu es mon sang* », 29–30, 104–5, 115–17, with illustrations of the bronze tablet treaty between Tudhaliya IV of Hatti and Kurunta of Tarhuntassa that was found in Ḫattuša in 1986.

56 Ramos, "Spoken Word and Ritual Performance," 75–82; cf. Morrow, "Sefire Treaty Stipulations," 87.

57 Karen Radner, "Assyrische *tuppi adê* als Vorbild für Deuteronomium 28,20–44?," in *Die deuteronomistischen Geschichtswerke*, ed. Witte et al., 367–74; Lauinger, "Neo-Assyrian *adê*," 111–14.

home town(s) of vassals.⁵⁸ There, the tablet was most likely displayed upright in the inner sanctum of a temple directly across from the altar. This perfectly matches the lines in EST that “you” (in this case an anonymous governor) “shall guard like your god this sealed tablet of the great ruler on which the *adê*-oath of Aššurbanipal, the great crown prince designate, son of Esarhaddon, king of Assyria, your lord, is written, which is sealed with the seal of Aššur, king of the gods, and which is set up before you” (SAA 2.6 § 35).⁵⁹

On the one hand, this implies that the Neo-Assyrian king, like his predecessors, followed the Hittite tradition of displaying the treaty in the temple of the vassal, so that he and his successors were confronted with these oaths. On the other hand, it seems that Esarhaddon, who himself had violated the Succession Treaty of his father Sennacherib (SAA 2.3)⁶⁰ in 680 BCE, wanted to prevent the same thing happening with EST. Therefore, the *adê*-oath was adapted in two ways. It now applied not just to foreign vassals, but also to the Assyrian elite. Furthermore, the seal of the god Aššur was added to the tablet, thus transforming the *ṭuppi adê*, a “tablet of the *adê*,” into a *ṭuppi šimāti*, a “tablet of the destinies.” As a result, the loyalty-oath tablet itself became a representative both at home and abroad of “Aššur, king of the gods” and of the king as his representative. Accordingly, it functioned as a kind of “theophoric substance,” visibly executing the supreme divine power of the Assyrian empire.⁶¹ This effort to increase the mental pressure on a vassal is an excellent example of how religion and political ideology can shape the wording and exhibition of a treaty.⁶²

58 For this text, see Jacob Lauinger, “Esarhaddon’s Succession Treaty at Tell Tayinat: Text and Commentary,” *Journal of Cuneiform Studies* 64 (2012), 87–123.

59 *cos*, 4:162 (Lauinger).

60 Parpola and Watanabe, *Neo-Assyrian Treaties and Loyalty Oaths*, 18.

61 Andrew R. George, “Sennacherib and the Tablet of Destinies,” *Iraq* 48 (1986), 141; Fales, “After Ta’yinat,” 150–53; Lauinger, *Neo-Assyrian adê*, 113–15; Mario Liverani, *Assyria: the Imperial Mission* (Winona Lake: Eisenbrauns, 2017), 135; Cristina Barcina Pérez, “Display Practices in the Neo-Assyrian Period: Esarhaddon’s Succession Oath Tablet in Context,” MA thesis, Leiden University, 2017. Cf. Hans U. Steymans, “Deuteronomy 28 and Tell Tayinat,” *Verbum et Ecclesia* 34.2 (2013), art. no. 870, doi:10.4102/ve.v34i2.870; Charpin, « *Tu es mon sang* », 124–26. Most scholars observe a change in genre, but disagree on whether the Median lords were actually living in the eastern Zagros plains (e.g. Fales, Lauinger, Steymans, Barcina Pérez) or rather functioned as foreign guards at the Neo-Assyrian court (e.g. Zehnder, Liverani).

62 Cf. e.g. Steven Holloway, *Aššur is King! Aššur is King! Religion in the Exercise of Power in the Neo-Assyrian Empire*, CHANE 10 (Leiden: Brill, 2002), 193–215, 342–43; Beate Pongrats Leisten, *Religion and Ideology in Assyria*, *Studies in Ancient Near Eastern Records* 6 (Boston: De Gruyter, 2015), 228–31; Liverani, *Assyria: the Imperial Mission*, 132–37.

From a biblical perspective, the find at Tell Ta'yinat raises the question whether similar tablet stood in a temple in the kingdom of Judah during the reign of Manasseh (698–642 BCE) and whether this might have affected the composition of Deuteronomy. The presence of a copy of Esarhaddon's "tablet of destinies" is indeed likely, possibly in the cultic chamber of the palace of the *qēpu*, the Assyrian ambassador at Judah's court, in Ramat Rahel, or in the temple of Jerusalem itself.⁶³ Whether, however, this further substantiates the theory that Deuteronomy 28: 20–44 is to be characterized as "direct borrowing from the EST," is a totally different issue dependent on the question of how a healthy comparison should occur.

(d) Therefore, it is time to make some remarks on the fourth methodological issue, that is, *how diverse treaty texts are to be compared*.

The issue of the pragmatic context of treaties is enlightening in this respect. Due to their nature as covenant reports, biblical narratives often present information regarding rituals surrounding the making of covenants. The recording and storage of a covenant text and its stipulations are described,⁶⁴ as is its regular reading.⁶⁵ Sometimes attention is also paid to ceremonial elements surrounding the making of a treaty, such as the cutting of an animal in two halves and walking between them as a kind of self-malediction,⁶⁶ the building of an altar and a sacrifice or sacrificial meal,⁶⁷ the use of blood,⁶⁸ or the exchange of gifts.⁶⁹ In light of the abovementioned non-biblical evidence, however, it is evident that the precise meaning of these ceremonies and of their ancient Near Eastern parallels is always to be determined by reference to their specific literary, religious and cultural contexts. Recording of the Ten Commandments by YHWH himself, storage of the tablets in the ark (Exod. 24: 12; 34: 1, 28b), and

63 Radner, "Assyrische *tuppi adê*," 374–75; Steymans, 'Deuteronomy 28 and Tell Tayinat', 11–12; K. Lawson Younger and Neil A. Huddleston, "Challenges to the Use of Ancient Near Eastern Treaty Forms for Dating and Interpreting Deuteronomy," in *Sepher Torath Mosheh*, ed. Daniel I. Block and Richard L. Schultz (Peabody: Hendrickson, 2017), 103–4; Charpin, « *Tu es mon sang* », 250.

64 Exod. 24: 4, 12; 25: 16; 31: 18; 32: 16; 34: 1, 27–28; Deut. 4: 13; 10: 2, 4–5; 27: 2–3; 31: 9, 24; Josh. 8: 32; 24: 26.

65 Deut. 17: 18–19; 27–28; 31: 10–13; Josh. 1: 8; 8: 34; 2 Kings 22: 10–11 (cf. its echo in Jer. 36: 21–23); Ps. 1: 2. Cf. Ezra 8: 1–12. For possible parallels with biblical passages in this and the previous footnote, see Kitchen and Lawrence, *Treaty, Law and Covenant*, 1: 50–51 (Elamite), 376–77, 524–25, 560–61, 628–29, 636–37, 654 (Hittite); Greengus, "Covenant and Treaty," 109–11.

66 Gen. 15: 7–21; Jer. 34: 18. For its closest parallels from Mari (and possibly also in Sefire 1A, 39–40), see Greengus, "Covenant and Treaty," 109–10; Charpin, « *Tu es mon sang* », 51–60, 256–57.

67 Gen. 8: 21–22, cf. 9: 8–17; Exod. 24: 4, 9; Josh. 9: 14. Cf. e.g. ARMT, t. 8, 13; EA 162: 22–25.

68 Exod. 24: 6, 8; cf. Charpin, « *Tu es mon sang* », 52–5; 261.

69 1 Sam. 18: 3–4; 2 Kings 16: 7–8.

public display of the Book of the Law on some stones on Mount Ebal (Deut. 27: 2–3; Josh. 8: 32) are good examples. Non-biblical parallels illustrate that these tablets and plaster texts comprise more than just a copy of a treaty or a legal tool. As they are ‘witnesses’ themselves, both their materiality and location express the authority of YHWH and of the Mosaic tradition.⁷⁰ The fact, however, that in these cases YHWH is the overlord in the covenant and Moses its mediator indicates that the exact meaning of these aspects can only be found in biblical texts.⁷¹

This hermeneutical rule also applies to form-critical characteristics of such treaties. In general, the use of a historical prologue, admonitions and curses, lists of divine witnesses, and an enumeration of gifts may have more or less the same meaning. But just as Mendenhall mistakenly supposed that treaties from a certain period had a definite and repeated form, it would also be wrong to assume that a form-critical comparison of these elements defines their primary function, for old elements easily acquire new meanings in new contexts.⁷² This is strongly confirmed by the analysis of Huddleston, who relates formal and functional characteristics of treaties to more specific discourse features, such as adjuratory and explanatory language. This approach highlights the diversity of the texts, even within treaty traditions. Apparently, basic elements of diverse treaty traditions have different meanings in different contexts.⁷³

Another factor to take into account follows from the observation that literary influence occurs across genres. More often, it can be found just around the corner. Some curses from EST, for instance, find their closest paral in a collection of incantations. On the base of this and other examples, Jacob Lauinger rightly notes that the ancient scribes and editors of the texts under discussion “wore many hats. Any conclusion reached, then, on the historical setting of a text therein purely on the basis of its similarity to a pool of other texts defined by conformity to the etic categories ‘treaty,’ ‘law,’ and ‘covenant’ runs the risk of

70 For this and similar uses of 72, see Gen. 31: 44, Exod. 25: 16; 31: 18; 32: 15; 34: 29; Josh. 24: 27. Cf. Greengus, “Covenant and Treaty,” 111–12.

71 For efforts to interpret oral-written interaction in this direction, see e.g. Susan Niditch, *Oral World and Written Word: Ancient Israelite Literature*, LAI (Louisville: Westminster John Knox, 1996), 85–86; Christoph Dohmen, “Decalogue,” in *The Book of Exodus: Composition, Reception, Interpretation*, ed. Thomas B. Dozeman, Craig A. Evans, and Joel N. Lohr, VTSup 164 (Leiden: Brill, 2014), 212–15; Sandra L. Richter, “The Archaeology of Mount Ebal and Mount Gerizim and Why It Matters,” in Block and Schultz, *Sepher Torah Mosheh*, 333–38.

72 This particularly applies to comparison of treaty elements in the chromograms and to the list of topics in the index in Kitchen and Lawrence, *Treaty, Law and Covenant*, 2:111–268.

73 Huddleston, “Ancient Near Eastern Treaty Traditions,” 31–43, 63–66.

being a false positive result.”⁷⁴ Accordingly, treaty texts, like all ancient archaeological, textual and iconographic sources, should first be studied in their own context, followed by a cross-cultural comparison reckoning with both differences and similarities, genre, function, geographical and chronological distance, and with spheres of cultural contact and channels of transmission. This means with regard to literary similarities that they can often be more effectively explained by assumption of a common cultural heritage or cognitive environment than by presupposed literary borrowing. Hence, the option that the scribes of biblical texts made use of ancient Near Eastern motifs, genres and even texts, should be accepted. But one must consider possible modes of transition before such an hypothesis is put forth. Only in this way can the trap of assuming linear development of one type of literature be avoided.⁷⁵

(e) This leads to the fifth methodological issue, *channels of transmission* of certain elements in ancient Israelite covenantal texts. Three preliminary observations are relevant here: (1) Availability of new texts highlights all the more that the historical picture is far from complete. This is evident from the geographical distribution of non-biblical treaties, the absence of texts from the twenty-third to the nineteenth, the eighteenth to the fifteenth and the thirteenth to the ninth centuries BCE, and from the fact that by far most texts date from the fifteenth to the twelfth century BCE. (2) Basic treaty elements travelled through time and space, being newly applied and adjusted across various languages, cultures and political systems, including by elaboration and simplification. The rather straightforward form of the eleven late ninth to the seventh century BCE Neo-Assyrian treaties and loyalty oaths is a striking example in this respect.⁷⁶ (3) Similarities, however, do not always imply a genealogical relation, for a new feature in a treaty tradition can also be the result of independent indigenous development.⁷⁷

In the light of this broad perspective, the claims of Otto, Levinson and others that the authors of Deuteronomy 13 and 28 offer a subversive account of EST giving the decisive impulse for the development of Old Testament covenant

74 Lauinger, “Approaching Ancient Near Eastern Treaties,” 133.

75 Younger and Huddleston, “Use of Ancient Near Eastern Treaty Forms,” 84.

76 Cf. Altman, “How Many Treaty Traditions,” 31–32; Huddleston, “Deuteronomy as *Mischgattung*,” 408–10; idem, “Ancient Near Eastern Treaty Traditions,” 60–63.

77 For criticism of the genealogical tree as presented by Kitchen and Lawrence, see Younger and Huddleston, “Use of Ancient Near Eastern Treaty Forms,” 79–84; Weeks, “Problems with the Comparative Method,” 295–98, 304. Previous general characterizations of the development of ancient Near Eastern treaties from the second to the first millennia BCE, such as from a ritual to a more verbal approach or from sacrifice to oath (thus, e.g., McCarthy and Weinfeld), do not reflect the diversity of the material either. See Weeks, *Admonition and Curse*, 145–49.

theology in fact postulates a quite narrow and specific channel of transmission, which can only be maintained if supported by extraordinary evidence.⁷⁸ This, however, is not the case. As mentioned above, Judean scribes were most likely familiar with the Neo-Assyrian treaty tradition. Moreover, loyalty oaths of the Assyrian king might indeed have had a religious impact on Judah. All the more surprising is it, however, that Deuteronomy lacks important elements from this tradition, contains features from other treaty traditions, while its main voices are those of the narrator, Moses and of YHWH.⁷⁹ From the perspective of EST, some striking similarities indeed exist.⁸⁰ Yet, in light of the physical form of the tablet and the order of curse passages, it is highly doubtful that related passages are “quotations.” Moreover, many noteworthy differences between the passages can be observed, while similar parallels occur in other non-biblical texts dating to diverse periods. As a result, evidence has to be presented selectively in order to create perfect parallels. This lack of “specificity and distinctiveness,” as noted by Crouch, makes it very unlikely that the passages from Deuteronomy are an adaptation of EST.⁸¹ Accordingly, one can better suggest that general thematic similarity and common order of maledictions in both texts reflect a broader knowledge of treaty traditions that was part of the cognitive environment.⁸²

Assumption of an exclusive Neo-Assyrian channel of transmission also complicates consideration of the question as to why in ancient Israel expanded law collections would then figure in the “treaty” between YHWH and his people. Is this only a later development or not? Several general approaches try to explain

78 For an explicit effort to avoid this problem, see Levinson and Stackert, “The Limitations of ‘Resonance’: A Response to Joshua Berman on Historical and Comparative Method,” *Journal of Ancient Judaism* 4 (2013), 310–33. In his commentary on Deuteronomy, Otto presents a more nuanced view than in previous publications, in particular regarding Deut. 28: 21–45, which does not follow the order of EST, but would nonetheless depend on some of its sections, i.e. SAA 2.6, § 49, § 63–5, § 41, § 39–40, and § 52. Eckart Otto, *Deuteronomium* 12–34, HThKAT (Freiburg: Herder, 2016), 1222–56, 1984–99.

79 Huddleston, “Ancient Near Eastern Treaty Tradition,” 66–67. See also the contribution of Arie Versluis to this volume.

80 See the canon formula (SAA 2.6, § 1; Deut. 13: 1 [12: 32]), the obligation to report treason (SAA 2.6, § 10; Deut. 13: 2–10[1–9]), and parallels between some curses (SAA 2.6, § 39–42, § 56, § 63; Deut. 28: 22–40).

81 Zehnder, “Building on Stone?,” 371–74, 511–35; Crouch, *Israel and the Assyrians*, 49–92 (quotation on 92); Younger and Huddleston, “Use of Ancient Near Eastern Treaty Forms,” 84–103; Drew S. Holland, “On the Commonalities of Deuteronomy 13 with Ancient Near Eastern Treaties,” *Journal for the Evangelical Study of the Old Testament* 5 (2016–2017), 149–52, 161–66. Cf. Greengus, “Covenant and Treaty,” 116–18; Charpin, « *Tu es mon sang* », 248–49.

82 Younger and Huddleston, “Use of Ancient Near Eastern Treaty Forms,” 108–9.

the convergence between ancient Near Eastern legal texts from the second millennium BCE and biblical law collections. The collections were possibly in some way part of a larger *shared tradition* in the ancient world. A *developmental model* suggests that significant growth and expansion occurred in legal content from one code to the next as societies evolved over the course of time. A third *textual-dependence model* states that new law codes were mostly the result of literary borrowing.⁸³ Because of the relations between legal and non-legal texts, however, it is also possible to think of the distribution of legal material in terms of *gravitational waves* based on some sort of legal thinking.⁸⁴ These hypotheses illustrate the complexity of the subject and make it clear that one must consider a variety of transmission modes. Problematic, however, in this regard is the theory of Otto and Levinson⁸⁵ that EST provided the exclusive template for a deuteronomistic reinterpretation of the Covenant Code in the form of a treaty. Such an hypothesis drastically limits the possibilities in a rather deductive way. As such, there is reason to assume that Deuteronomy 12–26 is in some way literarily dependent on the Covenant Code.⁸⁶ But late dating of the Covenant Code and the hypothesis that only contact with the Neo-Assyrian material led to its covenantal framework and to reinterpretation of the law in Deuteronomy can simply not do justice to the diversity and richness of the tradition drawn upon in these texts.⁸⁷

Similar remarks can be made with regard to the relation between biblical and Hittite treaty forms. It is generally assumed that the 13th century BCE Egyptian-Hittite peace treaty as engraved in hieroglyphs on temple walls in Thebes was Hittite in origin, for its Hittite counterpart has been found in Ḫattuša in cuneiform.⁸⁸ Yet, a similar conclusion with regard to biblical covenants is not justified due to their diverse and transformative nature, despite

83 For a brief description of these three models, see Bruce Wells, introduction to *Law from the Tigris to the Tiber: The Writings of Raymond Westbrook*, vol. 1, *The Shared Tradition*, by Raymond Westbrook, ed. Bruce Wells and F. Rachel Magdalene (Winona Lake: Eisenbrauns, 2009), xiii–xviii.

84 Guido Pfeifer, “The Pentateuch Paradigm and Ancient Near Eastern Legal History: A Look Back from the Environment,” in *Paradigm Change in Pentateuchal Research*, ed. Matthias Armgardt, Benjamin Kilchör, and Markus Zehnder, BZABR 22 (Wiesbaden: Harrassowitz, 2019), 93–100.

85 See the literature referred to in notes 23 and 24.

86 See now Benjamin Kilchör, *Mosetora und Jahwetora: Das Verhältnis von Deuteronomium 12–26 zu Exodus, Leviticus und Numeri*, BZABR 21 (Wiesbaden: Harrassowitz, 2015).

87 Cf., e.g., Bruce Wells, “The Covenant Code and Near Eastern Legal Traditions,” *Maarav* 13 (2006), 85–118.

88 For the texts, see Beckman, *Hittite Diplomatic Texts*, 90–95; Kitchen and Lawrence, *Treaty, Law and Covenant*, 1:573–94.

the fact that Deuteronomy comes closest to Hittite and Middle Babylonian treaty traditions.⁸⁹ As a result, this raises the compelling question as to how ancient Israelite scribes became acquainted with its treaty features, in particular the historiographical prologue. This element is rather unique for Hittite tradition, because it always takes previous relations into account. The answer is simply that no evidence for direct contact between the Hittite empire or the Hittites and ancient Israel exists. At the same time, textual and material evidence reflects rich mutual cultural exchange in the Levant during the *pax Hethitica-Aegyptiaca* of the 13th century BCE. Centuries later, the early Israelite monarchy became familiar with the legacy of the Hittite empire via the Neo-Hittite cities Hamath, Carchemish and Aleppo. This exchange ended with or before the Assyrian destruction of Carchemish in 717 BCE.⁹⁰ So Israel most likely knew this treaty tradition already at the end of the second millennium or the beginning of the first millennium BCE. The channel of transmission of this acquaintance, however, remains hidden.⁹¹

These observations have two significant implications for interpreting Deuteronomy against the background of the non-biblical treaty traditions. First, they drastically limit the possibility of using them either as a foundation for proposed dating of the biblical text or as a framework for its interpretation. A more nuanced approach is needed in this regard.⁹² Second, positive use of parallel treaty elements is mainly contextual and illustrative and to be determined by the primary meaning of the book as instruction and testament

89 Huddleston, "Ancient Near Eastern Treaty Traditions," 67–68; Holland, "Commonalities," 156–60.

90 Itamar Singer, "Hittites and the Bible Revisited," in *"I Will Speak Riddles of Old Times": Archaeological and Historical Studies in Honour Amihai Mazar*, ed. Aren M. Maeir and Pierre De Miroschedji (Winona Lake: Eisenbrauns, 2006), 723–56; Devecchi, "Treaties and Edicts in the Hittite World," 644; Younger and Huddleston, "Use of Ancient Near Eastern Treaty Forms," 104–8.

91 Accordingly, no evidence supports the suggestion of Millard that the second millennium BCE, Hittite inspired historical prologue of Deut. 1: 1–3: 29 was the seed of early first millennium ancient Israelite historiography. Alan R. Millard, "Deuteronomy and Ancient Hebrew History Writing in Light of Ancient Chronicles and Treaties," in *For Our Good Always: Studies on the Message and Influence of Deuteronomy in Honor of Daniel I. Block*, ed. Jason S. DeRouchie, Jason Gile, and Kenneth J. Turner (Winona Lake: Eisenbrauns, 2013), 13–16. Weeks also rightly criticizes the speculative suggestion of Kitchen and Lawrence, *Treaty, Law and Covenant*, 3: 126–32, on the basis of diplomatic contacts between Egypt and Hatti, that Moses was acquainted with the Hittite treaties. Weeks, "Problems with the Comparative Method," 297.

92 See, e.g., Markus Zehnder, "Leviticus 26 and Deuteronomy 28: Some Observations on Their Relationship," in Armgardt, Kilchör, and Zehnder, *Paradigm Change*, 115–75.

of Moses (Deut. 1: 1; 4: 44; 29: 1[2]; 32: 1).⁹³ Treaty features, for instance, explain why the stipulations in Deuteronomy are preceded by a large historical section and followed by blessings and curses. A noteworthy number of texts highlight that the function of “you” and “we” in Deuteronomy differs from that in the treaties, for it does not only address an existing community, but in a sense also creates it.⁹⁴ Aramaic and Neo-Assyrian texts illuminate the dialogical syntax of Deuteronomy 27,⁹⁵ and the shared tradition – in particular with West Semitic texts⁹⁶ – of the futility curses in Deuteronomy 28. Finally, the likely presence of EST in Judah might even suggest that certain passages from Deuteronomy 13 and 28 had a renewed impact on parts of society due to the fact that seventh century BCE Judean readers now had become familiar with the Neo-Assyrian use of the ancient Near Eastern curse traditions.⁹⁷

A similar pattern of a highly flexible use of common features and literary motifs and thus of diversity of channels of transmission can be observed with respect to the so-called royal grant. Here, significant attention has been paid to the divine promise to David in 2 Samuel 7 and related texts. Two elements stand out in this discussion. First, the biblical authors drew upon a variety of legal, diplomatic, and mythological genres, using them in a specific way, and therefore the texts are hardly entirely analogous. Second, both the non-biblical and biblical grants hardly reflect a so-called ‘unconditional’ promise, because they always expect loyalty in return, even when this is not made explicit.⁹⁸

93 The proper nature of the book is also illustrated by its closing section (Deut. 29–34), which does not fit any treaty tradition, but explores a theme from Exod. and Num., that is, of the elevation of Moses, and at the end underlines the importance of the Mosaic tradition in the “Book of the Law,” also being the “Book of the covenant” (Deut. 28: 58, 61; 29: 19–20[20–21]; 31: 24, 26; cf. Deut. 17: 18; 29: 26[27]; 30: 10; Josh. 1: 8; 8: 31, 34; 23: 6; 24: 26). See also Jerry Hwang, *The Rhetoric of Remembrance: An Investigation of the “Fathers” in Deuteronomy*, Siphut 8 (Winona Lake: Eisenbrauns, 2012), 179–232, and the contribution of Versluis to this volume.

94 See, e.g., Brent A. Shawn, “Slaves and Rebels: Inscription, Identity and Time in the Rhetoric of Deuteronomy,” in Block and Schultz, *Sepher Torah Mosheh*, 161–91.

95 Ramos, “Spoken Word and Ritual Performance,” 144–50.

96 For this issue and previous literature, see Koch, *Vertrag, Treueid und Bund*, 52–69; Baranowski, “Old Aramaic and Biblical Curses,” 173–201; Ramos, “Northwest Semitic Curse Formula,” 205–20; Younger and Huddleston, “Ancient Near Eastern Treaty Traditions,” 65; Quick, *Deuteronomy 28 and the Aramaic Curse Tradition*, 68–106.

97 Against Watanabe, “Esarhaddon’s Oath Documents,” 163–64; cf. Greengus, “Covenant and Treaty,” 122.

98 See, e.g., Gary N. Knoppers, “Ancient Near Eastern Royal Grants and the Davidic Covenant: A Parallel?,” *Journal of the American Oriental Society* 116 (1996), 670–97; Gert Kwakkel, “The Conditional Dynastic Promise in 1 Kings 2:4,” in *Reading and Listening: Meeting One God in Many Texts. Festschrift for Eric Peels on the Occasion of his 25th Jubilee as Professor*

This also applies to biblical descriptions of the promised land, such as Numbers 34: 1–12 and Joshua 13: 1–7. In presupposing the Late Bronze Egyptian view of the pharaonic vassal territories in Asia, these texts touch on ancient Near Eastern depictions of land granted by sovereigns to their vassals. At the same time, they serve a specific theological purpose. Numbers 34 recounts a new generation travelling through the desert, awaiting the fulfillment of the promise of the land. Will they meet the stipulations of God in conquering the land? Joshua 13 also reflects a similar dynamic between divine promises and demands, obedience, disobedience and grace. It looks back to the conquest, describing the unconquered remaining land and also addressing the theme of leadership. Up to now Israel has only been partly obedient; the passage also hints at a more definite fulfillment of the promise of the land which occurred in YHWH's choice of David as king, who conquered these remaining territories. So the literary motif of a land grant is indeed put to use, but in an extremely flexible way, and its meaning can only be obtained by studying the literary context.⁹⁹

(f) A final methodological issue is *neglected aspects*. Two questions are rarely asked in the discussion regarding the comparison between non-biblical treaties and grants and biblical covenants, although they might be of importance.

The first question is: Is a treaty, edict or loyalty oath fair, or can their stipulations and tribute to be paid be characterized as an institutionalized form of plunder and abuse of power? In most cases, not enough information is available to answer this question in detail. Moreover, scholars are reluctant to be transparent about their point of departure in evaluating this issue.¹⁰⁰ On a more concrete level, however, a few remarks can be made. It seems that Hittite edicts for Ugaritic kings reflect more favourable conditions than those of

of *Old Testament Studies*, ed. Jaap Dekker and Gert Kwakkel, ACEBTSup 16 (Bergambacht: Uitgeverij 2VM, 2018), 79–89; Reid, “Ancient Near Eastern Backgrounds,” 461–63.

99 See Koert van Bekkum, “Geography in Numbers 33 and 34 and the Challenge of Pentateuchal Theory,” in *Torah and Traditions: Papers Read at the Joint Meeting of the Society for Old Testament Studies and the Oudtestamentisch Werkgezelschap, the University of Edinburgh 20th July–23rd July 2015*, ed. Hans Barstad and Klaas Spronk, OtSt 70 (Leiden: Brill, 2017), 93–117; idem, “Remembering and Claiming Ramesside Canaan: Historical-Topographical Problems and the Ideology of Geography in Joshua 13:1–7,” in *The Book of Joshua and the Land of Israel*, ed. E. Noort, BETL 250 (Louvain: Peeters, 2012), 347–60. For Hittite examples, see Beckman, *Hittite Diplomatic Texts*, 20–21, 31, 41, 71, 104–5, 109–11, 159–69. Possibly, some features of Neo-Babylonian land grants are reflected in the related text Ezek. 47: 13–48: 29. See Nathanael Warren, “Tenure and Grant in Ezekiel's Paradise (47:13–48:29),” *Vetus Testamentum* 63 (2013), 323–34.

100 The Italian Assyriologist Mario Liverani is an exception in this respect. Liverani, *Assyria: The Imperial Mission*, 1–9.

Hittite vassal treaties.¹⁰¹ Another example is the battle of Kadesh in 1275 BCE and the resulting treaty between Hatti and Egypt. This treaty not only helped both states by readjusting their power relations, but also secured their economic interests in their vassal territories in the Levant.¹⁰² Neo-Assyrian loyalty oaths are also generally assumed to belong to the Assyrian centrist ideology of repression and exploitation. Nevertheless, the archaeological record suggests that vassal territories in the Levant experienced an era of prosperity and economic progress during the Assyrian period. According to a recent analysis, this is not because the Assyrians invested in the region, but due to the general flourishing Mediterranean economy. Judah, Philistia and Phoenicia even profited from the Assyrian destruction of Samaria and other economic centres, which enabled them to pay their tribute for a long time. In the meantime, newly created provinces inside the Assyrian territory lagged behind in economic development.¹⁰³

How fair then, in this regard, are the biblical covenants, where YHWH is Israel's overlord, the owner of the land given as a grant to his people and king? The specific nature of the burden of biblical stipulations has not been frequently studied, but some observations can be made. YHWH clearly demands absolute loyalty. Yet this obedience and gifts for the cult do not aim at economic growth of either state or temple, but are an expression of thanks for YHWH's provision and directed at the welfare of the community. Accordingly, the Israelite economy was less dominated by the temple, its lands and personnel than elsewhere in the Ancient Near East.¹⁰⁴ Biblical law commonly prefers general welfare over securing economic control and dynastic succession. For this very reason it is even used in contemporary debates on, for instance,

101 Devecchi, "Treaties and Edicts in the Hittite World," 641–44.

102 See, e.g., Marc Van De Mieroop, *A History of the Ancient Near East c. 3000–323*, Blackwell History of the Ancient World (Oxford: Blackwell, 2004), 136.

103 Avraham Faust, "Settlement, Economy, and Demography under Assyrian Rule in the West: The Territories of the Former Kingdom of Israel as a Test Case," *Journal of the American Oriental Society* 135 (2015), 765–89.

104 H.G.M. Williamson, "The Old Testament and the Material World," *Evangelical Quarterly* 57 (1985), 5–22; Huddleston, "Ancient Near Eastern Treaty Traditions," 68–69. For ancient Near Eastern temple economies, see, e.g., Gerald O. West, "Tracking an Ancient Near Eastern Economic System: The Tributary Mode of Production and the Temple-State," *Old Testament Essays* 24 (2011), 513–34; David Wengrow, "'Fleshpots of Egypt': Rethinking Temple Economy in the Ancient Near East," in *Decorum and Experience: Essays in Ancient Culture for John Baines*, ed. E. Frood and A. McDonald (Oxford: Griffith Institute, 2013), 291–98.

the use of land, sustainability and social welfare.¹⁰⁵ This, however, cannot be explained without taking the particular religious dimension of the covenantal stipulations into account. They are all framed by YHWH's deliverance of Israel from slavery in Egypt and directed at worshipping him at "the place he will choose," for he is the God who provides even in his demands.¹⁰⁶

Accordingly, in the future, also a second question not being discussed in treaty scholarship will have to be asked: How does the nature of a treaty change when different gods or deities are invoked? This aspect appears, as can be observed in both the Neo-Assyrian context, where violence by the king is simply the execution of divine 'destinies,' and in the context of biblical covenants, where the treaty is made with the deity directly instead of with the king as representative.

5 Theological Implications

The above reassessment of treaty scholarship leads to a few literary and historical conclusions. Biblical references to covenants participate in a rich and complex diversity of ancient Near Eastern treaties, loyalty oaths, land grants, and other related texts. Both these texts and their archaeological contexts reflect a common cognitive environment. In this environment, it is hard to define the exact number and nature of the existing treaty traditions, to observe precise channels of transmission, and to make a clear distinction between oral transmission of stock phrases and other elements, and direct literary influence. Moreover, ancient Israelite covenant reports not only draw upon a whole range of treaty traditions and their related literary, diplomatic and ritual features, but also transform them from their own, distinct perspective. Two theological implications follow from these conclusions regarding the nature on the one hand of biblical revelation and on the other of biblical covenantal texts.

Firstly, these conclusions beautifully illustrate a 'Catholic' Christian conviction regarding the nature of revelation, as formulated by, for instance, the

¹⁰⁵ Jonathan Burnside, *God, Justice, and Society: Aspects of Law and Legality in the Bible* (Oxford: Oxford University Press, 2010).

¹⁰⁶ See, e.g., Richard E. Averbeck, "The Egyptian Sojourn and Deliverance from Slavery in the Framing and Shaping of the Mosaic Law," in *"Did I Not Bring Israel Out of Egypt?" Biblical, Archaeological, and Egyptological Perspectives on the Exodus Narrative*, ed. James K. Hoffmeier, Alan R. Millard, and Gary A. Rendsburg, BBRSup 13 (Winona Lake: Eisenbrauns, 2016), 143–75; Markus Zehnder, "Literary and Other Observations on Passages Dealing with Foreigners in the Book of Deuteronomy: The Command to Love the *Gēr* in Context," in Block and Schultz, *Sepher Torah Mosheh*, 232–60.

Reformed theologian Herman Bavinck in 1906: "Divine inspiration, as we remarked earlier, made all literary genres subservient to its aim. It included prose and poetry, history and prophecy, parable and fable. It is self-evident that the truth in all these scriptural components has a different character in each case."¹⁰⁷ Due to recent treaty scholarship, treaties, edicts, loyalty oaths and land grants can be added to this list. On the one hand, the primacy of scripture in theology is safeguarded by the term "subservient" and the notion that biblical texts have a different nature. On the other hand, this view also does justice to the fact that the genres used are much older and represent a wider domain than those of the biblical texts; for Bavinck adds that from a scholarly historical perspective "Scripture is often incomplete" and "full of gaps" and that "its purpose is not to tell us precisely all that has happened in times past with the human race and with Israel but to relate to us the history of God's revelation."¹⁰⁸ Since very ancient times, relations between humans, groups and societies existed which were guaranteed by oaths and agreements. From the twenty-third century BCE onwards, full developed treaty traditions suddenly appeared in written form. Many of their features were used in revelation and inspiration. Also in this case, the 'special revelation' of scripture is embedded in and makes use of an already existing reality, that is, of human efforts to prevent chaos and to develop civilization. Regrettably, these types of texts were also used in communicating power and legitimizing brutal oppression. Yet, in the terms of Bavinck, the development of instruments to be used in maintaining relations and allegiances against threats and disorder might be viewed as 'common grace,' while treaty genres reflecting this grace can be said to be made subservient to the aim of revelation.¹⁰⁹

¹⁰⁷ Herman Bavinck, *Gereformeerde dogmatiek*, 2nd ed., vol. 1 (Kampen: Kok, 1906), 476, trans. John Vriend and ed. John Bolt as *Reformed Dogmatics*, vol. 1 (Grand Rapids: Baker Academic, 2004), 447. In this section Bavinck agrees with and reformulates the encyclical *Providentissimus Deus* §§ 18–20 on this issue. Cf. Koert van Bekkum "In More or Less Figurative Language: The Dutch Neo-Calvinist Fascination with the Encyclical *Providentissimus Deus* (1893) and Its Aftermath," in *Rerum Novarum. Neo-Calvinism and Roman Catholicism*, ed. James Eglinton and George Harinck. SRTb (Leiden: Brill, forthcoming).

¹⁰⁸ Bavinck, *Gereformeerde dogmatiek*, vol. 1, 475 (ET: *Reformed Dogmatics*, vol. 1, 446).

¹⁰⁹ Similar views are also defended in Judaism, for instance by Samuel Greengus in a recent comment on biblical law: "Although the biblical laws are said to be of divine origin, they were not considered so extraordinary as to be beyond human comprehension and attainment (...). In other words: the divinely endorsed laws were related to human history and experience; and, as such, a good deal of what they mandated was already familiar to the ancient Israelites. This is because a substantial part of biblical law was based upon pre-existing Near Eastern laws." *Laws in the Bible and in the Early Rabbinic Collections: The Legal Legacy of the Ancient Near East* (Eugene: Wipf and Stock, 2011), 1.

A second implication involves the interpretation of biblical texts. The fact that certain elements, such as a historical prologue, blessings and the opening formula “thus says X” are largely missing from first millennium BCE texts is a further indication of the presence of second millennium BCE traditions in the large literary work of Genesis to 2 Kings. But an indication is no proof. The long and complicated debate on the relation between Deuteronomy, Hittite treaties and Esarhaddon’s Succession Treaty (EST) has made it very clear that concrete texts cannot be dated solely on the basis of these kinds of parallels. Nevertheless, present knowledge of the cognitive environment is able to illuminate many elements of so-called covenantal texts, such as terminology depicting covenantal agreements, rituals, the dialogical nature of texts, historical prologues, admonitions and curses, and the use of kinship terminology (‘father and son,’ ‘brother,’ ‘love’). This involves applying a meticulous hermeneutic in which relevant texts are first studied in their own context before being compared and contrasted. Accordingly, a biblical covenant can never be called “solid,” “intimate,” “(un)conditional,” or “eternal” because its non-biblical parallel would require such. In this respect, many theologians, in particular those in the Westminster tradition, still have serious work to do.¹¹⁰ In all cases, the meaning of texts always has to be determined from the biblical contexts themselves, for not only are their literary and cultural contexts different from others in the Ancient Near East, but a divine-human treaty or covenant is also a unique feature. For linguistic issues and on a deeper contextual level, explanation of biblical texts against their ancient Near Eastern background is very useful. It helps in appreciating strange rites and leads to a much better understanding of the legal context of well-known biblical agreements and covenants, which take threats against life and divine stipulations much more seriously than twenty-first century CE readers from the West often do. Nevertheless, in the end, it is only YHWH who defines the very nature of these covenants. He often presents himself in ways that differ significantly from other ancient Near Eastern portraits of gods. He alone says, “I am your God and you are my people.”

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110 Reid takes a first step in this direction; see Reid, “Ancient Near Eastern Backgrounds,” 463–65. See also the contribution of Arnold Huijgen to this volume.

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Covenant in Deuteronomy: The Relationship between the Moab, Horeb, and Patriarchal Covenants

Arie Versluis

1 Introduction

Covenant is a central concept in Deuteronomy. Both the word ברית and the so-called covenant formula – “I will be your God, you shall be my people” – are used at key positions.¹ The core of Deuteronomy, chapters 5–26, is framed by a narrative of covenants. In Deuteronomy 5, the covenant of Horeb is recalled and actualized: “Not with our fathers did YHWH make this covenant, but with us” (Deut. 5: 3). Deuteronomy 26 ends with a mutual declaration: Israel has declared YHWH to be their God and YHWH has declared Israel to be his people (Deut. 26: 17–19). The final part of the book is introduced by the declaration that “these are the words of the covenant that YHWH commanded Moses to make with the Israelites” (Deut. 28: 69 [29: 1]). Deuteronomy, then, is the narrative as well as the document of a covenant between YHWH and Israel.²

The covenant, however, is related not only to Israel’s experience in Moab, the setting of Deuteronomy (Deut. 28: 69 [29: 1]; 29: 8[9]), but also to Israel’s ancestors (Deut. 4: 31; 7: 12; 8: 18), to the exodus from Egypt (Deut. 29: 24[25]), and to YHWH’s revelation at Horeb (Deut. 4: 13; 5: 2–3; 9: 9; 29: 1[2]). This raises the question of how the Moab covenant is related to the Horeb and the patriarchal covenants. In Deuteronomy 28: 69 (29: 1), the Moab and the Horeb covenants are clearly distinguished (“the covenant [...] in the land of Moab, in addition to the covenant [...] at Horeb”). This text, however, is the only place in the Old Testament where these covenants are juxtaposed.³ This makes it difficult to

1 See Norbert Lohfink, “Bund als Vertrag im Deuteronomium,” *Zeitschrift für die alttestamentliche Wissenschaft* 107 (1995): 215–17.

2 The terminology for the relation between YHWH and Israel is much more diverse, but this contribution focuses on ברית, translated as ‘covenant.’ English translations from the Old Testament are my own, sometimes adapted from NRSV.

3 According to Scott W. Hahn, this is also the case in Ezek. 20, which corresponds with his negative view of Deuteronomy. Hahn, *Kinship by Covenant: A Canonical Approach to the Fulfillment of God’s Saving Promises*, AYBRL (New Haven: Yale University Press, 2009), 80–82.

determine their relation, which accordingly has been described in different ways. The Moab covenant has been considered as an addition or a renewal of the Horeb covenant, on the one hand, and as a replacement of the Horeb covenant and a prefiguration of the new covenant, on the other.⁴ Another issue is that Deuteronomy does not describe any covenantal ceremony.

This essay investigates the covenant that is being made in Deuteronomy and its relation to the Horeb and the patriarchal covenants. The essay focuses on Deuteronomy's view of the covenants according to the book's final form. The question of how this relates to the genesis of Deuteronomy and to historical reality will not be discussed. The essay consists of five parts. The first explores what actually happens in Deuteronomy in terms of covenanting (§ 2). The second and third examine the relation between the Moab and the Horeb covenants (§ 3), as well as the relation between these covenants and the covenant with the fathers (§ 4). The fourth section describes the future of the covenant, according to Deuteronomy (§ 5). The fifth and final section draws some conclusions (§ 6).

2 Covenanting in Deuteronomy

In view of the centrality of the covenant between YHWH and Israel in Deuteronomy, it is remarkable that the book does not contain a narrative of a covenant being made between YHWH and Israel; rather, it circles around the covenant. In some texts, it is suggested that a covenant is about to be made. Deuteronomy 29 narrates that Israel is summoned, resembling the people's assembly at Horeb (Deut. 4: 10; 29: 1[2], 9[10]). YHWH is said to be making a covenant with Israel "today" (Deut. 29: 11[12], 13[14]); the formulation (subject with participle) suggests that He is about to do so. In other texts, it seems that a covenant has been made already. In Deuteronomy 26: 17–19, it is recorded that "today" YHWH has declared to be Israel's God and Israel has declared to be his people. And Deuteronomy 27: 9 states, "this very day you have become

In Ezek. 20, however, there is no mention of Moab or of a covenant, which makes Hahn's interpretation rather dubious.

4 Addition/renewal: e.g., Daniel I. Block, *Deuteronomy*, NIVAC (Grand Rapids: Zondervan, 2012), 662. Replacement and prefiguration: A. Cholewinski, "Zur theologischen Deutung des Moabbundes," *Biblica* 66 (1985): 96–111. See also Paul A. Barker, *The Triumph of Grace in Deuteronomy: Faithless Israel, Faithful Yahweh in Deuteronomy*, PBM (Carlisle: Paternoster, 2004), 112–16.

a people for YHWH your God.” These texts suggest that a covenant has been made in the present time of Deuteronomy. However, no covenantal ceremony is described in the book.⁵ This raises the question of how these texts are related and whether a covenant is made in the narrated time of Deuteronomy.

The book’s key text on covenanting is Deuteronomy 26: 17–19. This passage closes the collection of laws and serves as the transition to the blessings and curses (Deut. 27–28).⁶ The word ברית is not used in these verses, but the covenantal formula is (cf. Deut. 29: 11–12[12–13], where the formula and ברית are juxtaposed). The interpretation of the passage is controversial, mainly because of the use of אמר Hiphil, which is found only in these verses in the Old Testament. The following represents a literal translation of the text:

¹⁷Today you made YHWH say to be your God, to walk in his ways, to keep his statutes, commandments, and ordinances, and to listen to his voice.

¹⁸Today YHWH made you say to be for him a treasured people, as He spoke to you, to keep all his commandments, ¹⁹to set you high above all nations that He has made, in praise and in name and in honor, and for you to be a people holy to YHWH your God, as He spoke.

The Hiphil of אמר may generally be interpreted in two ways: first, with an intensive meaning (to declare);⁷ and second, with a causative meaning (to cause to say).⁸ The difference is the identity of the subject in what follows. In the first case, taking verse 17 as an example, Israel declares something; in the second case, Israel makes YHWH say something, making YHWH the logical subject of the following infinitive. A variant proposal is offered by Th.C. Vriezen, who

5 Cf. Richard D. Nelson, *Deuteronomy*, OTL (Louisville: Westminster John Knox, 2002), 338; Eckart Otto, *Deuteronomium 12–34*, HThKAT (Freiburg: Herder, 2016–2017), 2058; Lothar Peritt, *Bundestheologie im Alten Testament*, WMANT 36 (Neukirchen-Vluyn: Neukirchener Verlag, 1969), 25.

6 See Norbert Lohfink, “Dt 26,17–19 und die ‘Bundesformel,’” *Zeitschrift für katholische Theologie* 91 (1969): 527–28. According to Steven Ward Guest, this passage is the focal point of the covenantal framework of Deuteronomy. Guest, “Deuteronomy 26:16–19 as the Central Focus of the Covenantal Framework of Deuteronomy” (PhD diss., Southern Baptist Theological Seminary, 2009), https://www.academia.edu/1074117/Deuteronomy_26_16-19_as_the_central_focus_of_the_covenantal_framework_of_Deuteronomy.

7 So, e.g., Jack R. Lundbom, *Deuteronomy: A Commentary* (Grand Rapids: Eerdmans, 2013), 734; Jeffrey H. Tigay, *Deuteronomy*, JPSCTC (Philadelphia: Jewish Publication Society, 1996), 245.

8 So, e.g., Nelson, *Deuteronomy*, 305.

argues for the meaning of “conceding the thing expressed by the root.”⁹ This leads to the translation “you have confirmed the declaration of YHWH.”¹⁰

In my view, the most natural interpretation of the verb is the causative meaning. This is the most common use of the Hiphil and it does justice to the use of an object, unlike the intensive meaning. Moreover, the following clause (“to be your God”) must have YHWH as its subject. In terms of content, this interpretation is close to Vriezen’s, but his understanding of the Hiphil is unnecessarily complicated. While some take issue with a causative interpretation because it entails that Israel makes YHWH say something,¹¹ this may be explained from the special situation of covenanting. YHWH’s initiative remains clear throughout; on a grammatical level, YHWH is fronted both as the object of the first and as the subject of the second statement.¹²

In Deuteronomy 26:17–19, the bilateral declaration to be “your God” and “his people” is made in two separate statements. This is unique in the Hebrew Bible; and the fact that Israel itself is the speaker of this formula is unique.¹³ Both parts of the covenant formula are elaborated upon by three additional infinitives (the covenant formula is also expressed by an infinitive following אָמַר Hiphil). The interpretation of these verses is complicated, however, because of the changes in the parties addressed. In verse 17, YHWH declares to be “your God.” In the following clauses, however, the suffix changes to the third person (“to walk in his ways” etc.). Since the speaker involved is still YHWH, it seems most natural to interpret these clauses as his declaration to Israel: Israel should

9 E.g., אָמַר Hiphil may mean “to agree to a request.” According to Paul Joüon and T. Muraoka, this is “a rather special meaning.” *A Grammar of Biblical Hebrew*, 2nd ed., SubBi 27 (Rome: Pontificio Istituto Biblico, 2006), § 54d. According to Th.C. Vriezen, this use is also found in the Sfire Inscription. Vriezen, “Das Hiphil von ‘Amar in Deut. 26, 17, 18,” *Jaarbericht van het Vooraziatisch-Egyptisch Genootschap ‘Ex Oriente Lux’* 17 (1964): 207–10.

10 So, following Vriezen, Block, *Deuteronomy*, 614–15; Guest, “Deuteronomy 26:16–19 as the Central Focus,” 126; J.G. McConville, *Deuteronomy*, AOTC (Leicester: Apollos, 2002), 376; Eduard Nielsen, *Deuteronomium*, HAT, 1.6 (Tübingen: Mohr, 1995), 237; Otto, *Deuteronomium* 12–34, 1876, 1902.

11 So S.R. Driver, *A Critical and Exegetical Commentary on Deuteronomy*, 3rd ed., ICC (Edinburgh: T&T Clark, 1902), 293; Carl Steuernagel, *Deuteronomium und Josua und allgemeine Einleitung in den Hexateuch*, HK (Göttingen: Vandenhoeck & Ruprecht, 1900), 96; Vriezen, “Das Hiphil von ‘Amar,” 207–8.

12 Cf. Block, *Deuteronomy*, 616–17; Guest, “Deuteronomy 26:16–19 as the Central Focus,” 113–16.

13 Rolf Rendtorff, *Die “Bundesformel”: Eine exegetisch-theologische Untersuchung*, SBS 160 (Stuttgart: Katholisches Bibelwerk, 1995), 68. The only possible exception is 2 Kings 11:17, where the content of the covenant between YHWH, king Jehoiada and the people is described as “that they should be a people for YHWH.”

walk in his ways, keep his commandments, and obey his voice (cf. v. 16).¹⁴ So, YHWH first declares his own position and then stipulates Israel's obligations.

In verses 18–19, Israel declares to be for YHWH a people of his treasured possession.¹⁵ The relation between the following infinitival clauses is not easy to determine. The first clause (“to keep all his commandments”) is most likely interpreted as a declaration of Israel, since the suffix remains the same (third person). This clause, then, is not a repetition of the comparable words in verse 17. In that verse, it is an obligation proclaimed by YHWH, whereas it is a promise made by Israel here. In verse 19, the suffix changes to the second person. To put Israel high above all nations must be interpreted as an action of YHWH (cf. “all the nations that He has made”).¹⁶ Israel will receive praise, fame, and honor if it lives according to YHWH's commandments. The final clause describes Israel as a people holy to YHWH. This runs parallel to Israel's declaration in verse 18 (a people of YHWH's treasured possession), while the subordinate clause “as He spoke” corresponds as well. Since the suffix continues in the second person, however, the final clause seems to emphasize Israel's position as a gift of YHWH. Verses 18–19, then, start with Israel's declaration of its position and obedience, followed by YHWH's promise to make Israel a famous and holy people for him.

In covenanting, both parties make the other declare their loyalty. It is clear, however, that the parties of this covenant are not equal. Israel does not impose obligations on YHWH. His position above Israel and even above all nations is emphasized, as well as his faithfulness to what He promised.

These mutual declarations are made “today,” as Deuteronomy 26: 17–19 indicates twice (cf. Deut. 29: 9–14[10–15]: five times). “Today” is often used in combination with the commandments in Deuteronomy (“which I command you today”).¹⁷ Living according to YHWH's statutes is also mentioned several times in the declarations in Deuteronomy 26. The content of the relationship between YHWH and Israel may be described as mutual dedication; for Israel's part, this implies the obligation and willingness to live according to YHWH's commandments; for YHWH's part, He makes the promise of his blessing.

14 In a series of infinitives, the subject of the infinitives (which is indicated by the context) may change; see Joüon and Muraoka, *A Grammar of Biblical Hebrew*, § 124s.

15 For the meaning of עַם סְגֻלָּה, see Arie Versluis, *The Command to Exterminate the Canaanites: Deuteronomy 7*, OtSt 71 (Leiden: Brill, 2017), 81–84.

16 Cf. Deut. 10: 21; 28: 1, 10, where it is always YHWH's name and fame that is given to Israel. Israel's unique position among the nations is intended for the service of YHWH; see the end of v. 19. Cf. Versluis, *The Command to Exterminate the Canaanites*, 156–61.

17 See, e.g., Deut. 4: 8, 40; 7: 11; 8: 1, 11; 11: 32. The frequent expression הַיּוֹם gives Deuteronomy an “emphatic contemporaneity”; Block, *Deuteronomy*, 613n2.

In sum, Deuteronomy 26: 17–19 may be paraphrased as follows according to the interpretation above:

Today YHWH said (caused by you)
 that He shall be your God,
 that you should walk in his ways,
 that you should keep his statutes, commandments, and ordinances,
 and that you should listen to his voice.

Today you said (caused by YHWH)
 that you will be for him a treasured people, as He spoke to you,
 that you will keep all his commandments,
 that He will set you high above all nations that He has made, in praise
 and in name and in honor,
 and that you will be a people holy to YHWH your God, as He spoke.

Whereas the covenant is made “today,” according to Deuteronomy 26, in Deuteronomy 29 it seems that a covenant still has to be made. Israel is assembled and stands before YHWH, as it once stood at Horeb (Deut. 4: 10; 29: 9[10]).¹⁸ A long enumeration emphasizes that each and everybody is present at this special moment: Israel’s leaders,¹⁹ men, children, women, and aliens, “from your woodchopper to your waterhauler.”²⁰ The purpose of the assembly is clear: YHWH is about to (subject with participle) make his covenant with Israel (Deut. 29: 11[12], 13[14]). The covenant is described here as a “covenant and oath” (ברית ואלה). The combination is found elsewhere in the Old Testament.²¹ It has been interpreted as “a sworn covenant,”²² but in Deuteronomy an oath is denoted by the root שבע, which is absent here. It is more likely, then, that this combination emphasizes the possible consequences of the

18 The only thing Israel is doing in Deut. 29: 9–14[10–15], is standing before YHWH; Barker, *Triumph of Grace*, 133.

19 The first words of the enumeration (ראשיכם שבטיכם) are controversial: they are often interpreted as “the leaders of your tribes” (e.g., Otto, *Deuteronomium 12–34*, 2034; cf. Septuagint and Peshitta) or as “your judges” (reading שפטיכם; e.g., Driver, *Deuteronomy*, 322). See Carmel McCarthy, *Deuteronomy*, BHK 5 (Stuttgart: Deutsche Bibelgesellschaft, 2007), 129*.

20 In Josh. 9: 21, 23, 27, this description is used for the Gibeonites. In the present context, however, it may also be interpreted as a comprehensive description of all aliens, “no matter how menial their social position.” So Duane L. Christensen, *Deuteronomy*, 2nd ed. (Nashville: Nelson, 2001–2002), 718.

21 Gen. 26: 28; Deut. 29: 13[14]; Ezek. 16: 59; 17: 13, 16, 18, 19; Hosea 10: 4.

22 Block, *Deuteronomy*, 678.

covenant. This corresponds with the emphasis on the curses of the covenant in Deuteronomy 27–28 (Deut. 27: 13–26; 28: 15–68; cf. 29: 20[21]).²³

YHWH is about to make a covenant and Israel is ready to “enter into” (עבר ב) the covenant and the oath of YHWH (Deut. 29: 11[12]). The expression used for entering into the covenant is unique in the Old Testament.²⁴ It has been interpreted as indicating Israel’s entire entrance into the covenant,²⁵ but it cannot be proven that the expression is more emphatic than בוא. Others have argued that עבר ב is an allusion to the way of covenanting by passing between the parts of an animal (עבר בין; Gen. 15: 17; Jer. 34: 18).²⁶ In Deuteronomy, the combination עבר ב is used to indicate passing through a land (Deut. 2: 4, 27, 28, 30). It may be hypothesized that the expression describes the covenant as a land that Israel is about to enter and walk through. This would fit the setting of Deuteronomy at the border of the promised land.²⁷

The question still remains why no covenantal ceremony is described in Deuteronomy. But as Norbert Lohfink has argued, a covenant is being made in the narrated reality of Deuteronomy. The author does not describe the events from a distance, but he uses the technique of telling-showing. Hebrew qatal, especially in combination with היום, may be interpreted as performative speech. The verbs of Deuteronomy 26: 17–19 may then be translated as “you hereby make YHWH say” and “YHWH hereby makes you say.” The same applies to Deuteronomy 29: 9–14[10–15].²⁸ The constitution of Israel as a people (Deut. 27: 9; 29: 12[13]) and the making of a covenant is thus performed by expressing the words of Deuteronomy. Deuteronomy 31: 16 makes clear, according to Lohfink, that the covenant was actually made, since this covenant can be broken in the future.

The only remaining question is why the assembly of Israel is mentioned only in Deuteronomy 29, whereas the act of covenanting is already found in

23 Cf. Christensen, *Deuteronomy*, 718.

24 The use of עבר with ברית as a direct object usually indicates transgression of the covenant. The sense of ‘entering into a covenant’ is more often rendered by בוא בברית. The unique expression here has been rendered differently by the ancient versions. See McCarthy, *Deuteronomy*, 130*.

25 Carl Friedrich Keil, *Leviticus, Numeri und Deuteronomium*, BC (Leipzig: Dörffling und Franke, 1862), 542.

26 C.J. Labuschagne, *Deuteronomium*, POuT (Nijkerk: Callenbach, 1987–1997), 3:121–22; Lohfink, “Bund als Vertrag,” 226.

27 Cf. the importance of crossing the Jordan and entering the promised land in the Book of Joshua.

28 Cf. Otto, *Deuteronomium* 12–34, 1904–6; Tigay, *Deuteronomy*, 245. See already Norbert Lohfink, “Der Bundesschluss im Land Moab: Redaktionsgeschichtliches zu Dt 28,69–32,47,” *Biblische Zeitschrift* 6 (1962): 43.

Deuteronomy 26–27. For Lohfink, one has to distinguish between the story and the fabula of Deuteronomy. The assembly mentioned in Deuteronomy 5: 1 and 29: 1[2] is one and the same. The Deuteronomic author would be using ‘tiling technique,’ describing the same event more than once. The public reading of the document of the covenant should then be situated between Deuteronomy 29: 14[15] and 29: 15[16]. Lohfink supposes that the difference between the text and the fabula may originate from the genesis of the text.²⁹ It may also be, however, that the question of the exact fabula is a modern formulation.

The difference between Deuteronomy 26 and 29 can also be explained by the ongoing present of the covenant in Deuteronomy (see below, § 3). It should be noted that the declaration that “today” Israel “has become a people for YHWH your God” (Deut. 27: 9) is found in the context of the future ceremony on Mounts Ebal and Gerizim. The word *ברית* is not used in this context, but the emphasis on blessings and curses, the building of an altar, and the writing of “all the words of this Torah” (Deut. 27: 8) all indicate the importance of this moment. The ceremony (realized in Josh. 8: 30–35) may be described as the ratification of the covenant.³⁰ The ongoing present of the covenant extends from Horeb via Moab to Mount Ebal and beyond. The covenant must always be entered afresh.

In sum, Deuteronomy describes a covenant being made between YHWH and Israel. No ceremony is explicitly described, but the covenanting is enacted by means of the speech-act narrated in the text; the “today” is an ongoing present. The content of the covenant is that YHWH is Israel’s God and Israel is his people. This implies obligations on Israel’s part and promises on YHWH’s part.

3 The Moab and the Horeb Covenants

At first sight, the Moab and the Horeb covenants are clearly distinguished in the Book of Deuteronomy. Deuteronomy 28: 69 (29: 1), the beginning of the third main part of Deuteronomy,³¹ reads: “These are the words of the covenant that YHWH commanded Moses to make with the Israelites in the land of Moab, in addition to (מלבד) the covenant that he made with them at Horeb.” The

²⁹ Lohfink, “Bund als Vertrag,” esp. 228–33.

³⁰ McConville, *Deuteronomy*, 395.

³¹ For the structure of Deuteronomy and the discussion whether Deut. 28: 69 (29: 1) is a superscript or a subscript, see Versluis, *The Command to Exterminate the Canaanites*, 139–40. According to Otto, the text has a pivotal function between the previous and following part of Deuteronomy. Otto, *Deuteronomium* 12–34, 1983–84.

compound preposition מלבד may be rendered as “apart from, besides, in addition to,” indicating a difference.³² Thus, the Moab and the Horeb covenants are clearly distinguished in this text, which is the only Old Testament text where these covenants are contrasted. This precludes the interpretation of the Moab covenant being identical with or a total replacement of the Horeb covenant. Both covenants are presented here as made by Moses. He is, however, commanded by YHWH. Moreover, the authority of both YHWH and Moses are held closely together in Deuteronomy.³³ The covenants, then, are distinguished in time and place, but both are the expression of YHWH’s will.³⁴

The narrative of Deuteronomy also suggests a distinction between the Moab and the Horeb covenants. The book starts with Israel’s departure from Horeb at the command of YHWH (Deut. 1: 6–7). Thus, a spatial and a temporal gap is created between the events at Horeb and those narrated in Deuteronomy.

At the same time, there are several elements in Deuteronomy pointing to a close relationship between both covenants. First, the audience of both covenants is considered as identical. Most explicit is Deuteronomy 5: 1–5, where the temporal distance between the Moab generation and the events at Horeb seems to be bridged. When all Israel is assembled, Moses proclaims: “YHWH our God made a covenant with us at Horeb. Not with our fathers did YHWH make this covenant, but with us, who are all of us here alive today.” (Deut. 5: 2–3).³⁵

In this text, the Moab generation (and implicitly the readers of Deuteronomy as well) is presented as standing at Horeb when YHWH made his covenant with Israel. The present generation is even contrasted with “our fathers.” The contrast is not a relative (not so much),³⁶ but an absolute one. This rhetoric of ‘exaggerated contrast’ is intended to emphasize the present time of the Moab generation.³⁷ The “fathers” can be a reference to the patriarchs, to the exodus generation, or to Israel’s ancestry in general. All are possible, but the latter

32 See Ernst Jenni, *Die hebräischen Präpositionen*, Bd. 3, *Die Präposition Lamed* (Stuttgart: Kohlhammer, 2000), 278.

33 See Arie Versluis, “‘And Moses Wrote This Torah’: Canon Formulas and the Theology of Writing in Deuteronomy,” in *Sola Scriptura: Biblical and Theological Perspectives on Scripture, Authority, and Hermeneutics*, ed. Hans Burger, Arnold Huijgen, and Eric Peels, SRTTh 32 (Leiden: Brill, 2017), 152–53.

34 Nelson, *Deuteronomy*, 338.

35 The preposition used with ברית כרת changes from עם to את; both are used elsewhere in Deuteronomy, as well as ל. No difference seems intended. Cf. Lothar Perlitt, *Deuteronomium 1–6**, BKAT (Neukirchen-Vluyn: Neukirchener Verlag, 2013), 417.

36 So Block, *Deuteronomy*, 155; Labuschagne, *Deuteronomium*, 1B:24; see already Rashi.

37 Lundbom, *Deuteronomy*, 267.

seems most likely here, since the contrast is not with one particular generation, but with all of Israel's ancestors.³⁸

Israel as a nation is viewed as a unity. This unity is emphasized already in verse 1, where Moses convenes "all Israel." More remarkable, however, is Israel's unity throughout the generations. In reality, according to Deuteronomy itself, most of the people had not been present at Horeb, since the Horeb generation died in the wilderness (Deut. 2: 14–16). Yet, the generation at the border of Canaan and the Horeb generation are identified in Deuteronomy.³⁹ This "rhetorische Generationenverschmelzung"⁴⁰ is rooted in Israel's unity as the people of YHWH. This is found throughout Deuteronomy, where events from the past are presented as the present people's experience (which "we" or "you" have experienced).⁴¹

Second, the content of YHWH's revelation at Horeb and at Moab requires some comment. At Horeb, YHWH proclaimed the Decalogue to the people of Israel as a whole. At Moab, the Deuteronomic Torah is proclaimed, which is mediated by Moses. The relation between the Decalogue and the Deuteronomic Torah is a dialectic one. On the one hand, they are held closely together. Both are described as the expression of YHWH's will; both are given to Moses at Horeb; and both are proclaimed by Moses to Israel in Deuteronomy. Deuteronomy 5: 1 is the introduction of both the Decalogue and the Mosaic Torah.

On the other hand, the Decalogue and the Deuteronomic Torah are clearly distinguished. The Decalogue is preserved in the ark, the Torah next to it

38 Cf. Norbert Lohfink, *Die Väter Israels im Deuteronomium: Mit einer Stellungnahme von Thomas Römer*, OBO 111 (Freiburg: Universitätsverlag, 1991), 23–24; McConville, *Deuteronomy*, 124. Otherwise, e.g., Tigay, *Deuteronomy*, 61 (patriarchs); Lundbom, *Deuteronomy*, 267–68 (Horeb generation). The contrast is between the generations, not between different covenants in the past, as Timo Veijola suggests ("this" covenant versus another covenant). Veijola, *Das 5. Buch Mose: Deuteronomium: Kapitel 1,1–16,17*, ATD 8.1 (Göttingen: Vandenhoeck & Ruprecht, 2004), 141–42.

39 A distinction between two generations in the desert is made only in Deut. 1: 19–46, at a crucial moment when trust in YHWH was lacking. See Bernd Biberger, *Unsere Väter und wir: Unterteilung von Geschichtsdarstellungen in Generationen und das Verhältnis der Generationen im Alten Testament*, BBB 145 (Berlin: Philo, 2003), 387–88.

40 Lohfink, *Die Väter Israels im Deuteronomium*, 20.

41 This regards events from Egypt (Deut. 1: 30; 4: 20, 34; 5: 15; 6: 12, 21–22; 7: 8, 18–19; 8: 14; 10: 19, 21; 11: 10; 12: 5, 10; 15: 15; 16: 1, 3, 12; 23: 4, 7; 24: 22; 26: 6–9; 29: 1–2[2–3], 15[16]), the wilderness journey (Deut. 1: 9, 19–46; 2: 1, 7; 6: 16; 8: 2–3, 15–16; 11: 5, 7; 25: 17), and Horeb (Deut. 4: 10–15, 23, 33; 9: 8, 22–23). See also Moshe Weinfeld, *Deuteronomy 1–11*, AB (New York: Doubleday, 1991), 237–39. Cf. Nelson, *Deuteronomy*, 79: "Horeb and Moab involve the very same audience in a literary and ideological sense that transcends the actual chronology set forth in Deuteronomy."

(Deut. 10: 5; 31: 26).⁴² The Decalogue is proclaimed by YHWH to all Israel; the Torah is given by the mediation of Moses. The mediating function of Moses is repeatedly mentioned, even before the text of the Decalogue is cited (Deut. 5: 5; cf. 5: 22–31).⁴³ In Deuteronomy 18: 16, it appears that not only Moses, but also the future prophets of Israel will transmit the words of YHWH. This underscores the distinction between the Decalogue and the later Torah.

In Deuteronomy, then, the content of the Horeb and the Moab covenants is kept closely together in terms of origin and authority, but they are distinguished as well.⁴⁴ In the introduction to Deuteronomy, Moses's words are presented as an explanation (באר) of "this Torah" (Deut. 1: 5). This may well have been intended as a characterization of the relation between the Decalogue and the Deuteronomic Torah, thus indicating both identification in substance and distinction.⁴⁵

Third, Israel's privileged position is underscored in Deuteronomy 5: 1–5. It is the present generation that YHWH made his covenant with at Horeb.⁴⁶ YHWH spoke with Israel "from face to face," out of the midst of the fire. The expression "face to face," which is used with respect to Moses in Deuteronomy 34: 10, is here applied to Israel as a whole. The motif of the fire, which is much more prominent in Deuteronomy than it is in Exodus, indicates YHWH's real presence.⁴⁷ This way, the immediacy of YHWH's revelation is emphasized. Despite this, Israel is still alive (Deut. 5: 3–4); this is a unique experience (Deut. 5: 24, 26). It emphasizes the special situation of those present at Horeb and even seems to place the present generation above their fathers, suggesting progress in YHWH's revelation. The present generation is more privileged and more responsible than their fathers. This is also true for Israel's assembly at Moab, which is described in similar terms (Deut. 29: 9–14[10–15]).

42 See Versluis, "And Moses Wrote This Torah," 152–53.

43 Versluis, "And Moses Wrote This Torah," 148–50. The role of Moses's mediation is rightly mentioned by Hahn. However, he overstates the case when he concludes that "Yahweh becomes more remote as a mediating bureaucracy [the Levites, AV] is inserted between Him and the people." *Kinship by Covenant*, 69.

44 Cf. Nelson, *Deuteronomy*, 338; Tigay, *Deuteronomy*, 274; Veijola, *Deuteronomium*, 140.

45 See Eckart Otto, *Deuteronomium 1–11*, HThKAT (Freiburg: Herder, 2012), 319–21. For the meaning of באר, see Otto, *Deuteronomium 1–11*, 303–4.

46 At the end of Deut. 5: 3, there is a strong emphasis on the present generation. For the construction of אֶתְּנִי emphasizing אֲנִי, see Joüon and Muraoka, *A Grammar of Biblical Hebrew*, § 146d; Bruce K. Waltke and Michael Patrick O'Connor, *An Introduction to Biblical Hebrew Syntax* (Winona Lake: Eisenbrauns, 1990), 299.

47 The motif of the fire is mentioned in Exod. 19: 18; 24: 17; Deut. 4: 11, 12, 15, 24, 33, 36; 5: 22–26; 9: 10, 15; 10: 4; 18: 16. See Ian Wilson, *Out of the Midst of the Fire: Divine Presence in Deuteronomy*, SBLDS 151 (Atlanta: Scholars Press, 1995), esp. 76–78.

Fourth, the close relation between the Moab and the Horeb covenants is indicated by a number of references to earlier promises (“as He spoke to you”: Deut. 26: 18, 19; 29: 12[13]). As several exegetes have argued, this most likely refers to Exod. 19: 5–6, YHWH’s words to Moses at Sinai.⁴⁸ By means of these references, Horeb and Moab are connected.

It may be asked why a new covenant or a renewal of the covenant was necessary if the Moab generation was considered present at Horeb. Two reasons may be mentioned.

First, the Moab covenant may be connected with Israel’s sins since Horeb. At the beginning of Deuteronomy, Israel’s failure at Kadesh is recalled (Deut. 1: 19–46). This has resulted in the death of a generation in the wilderness (Deut. 2: 14–16). A lengthy elaboration illustrates Israel’s stubbornness by describing previous moments in which YHWH was about to eradicate his people (Deut. 9: 7–10: 11). At the border of Canaan, Israel has sinned with the Baal of Peor, resulting in the destruction of those following Baal (Deut. 4: 3).

However, the motif of Israel’s sins should not be overemphasized. The events regarding the Baal of Peor are mentioned only in passing. According to some scholars, the remark that “we” are alive today in Deuteronomy 5: 3 is a reference to these events (cf. Deut. 4: 4).⁴⁹ However, Deuteronomy 5 contains no indications that Israel’s past was viewed negatively. In the description of Israel’s stay at Horeb, it is notable that the sin with the golden calf is not viewed as a total breach. This is different from the narrative in Exodus, where a new covenant is made after the golden calf (Exod. 34).⁵⁰ In Deuteronomy, the second time that YHWH gives the Decalogue (Deut. 10: 1–4) is not described as a new covenant. On the contrary, the continuity is emphasized; the similarity with the first version (“like the first”) is mentioned four times in these verses. Moreover, Israel is not assembled again, nor is the word *ברית* used in this context.⁵¹

Second, the Moab covenant is connected with Israel’s situation at the border of Canaan and with the imminent death of Moses. In the narrated reality of Deuteronomy, Moses convenes all Israel three times: first in Deuteronomy 5: 1, opening the recollection of the events at Horeb; second in Deuteronomy 29: 1[2], introducing the entrance into the covenant; and third in Deuteronomy 31:

48 For a discussion of this and other options, see Dieter Eduard Skweres, *Die Rückverweise im Buch Deuteronomium*, AnBib 79 (Rome: Biblical Institute Press, 1979), 129–37, 175–80. Cf. Tigay, *Deuteronomy*, 245–46.

49 Hahn, *Kinship by Covenant*, 68–69. Cf. Block, *Deuteronomy*, 155.

50 Cf. Gert Kwakkel’s contribution to this volume, p. 29–30.

51 See Norbert Lohfink, “Der Neue Bund im Buch Deuteronomium?,” *Zeitschrift für altorientalische und biblische Rechtsgeschichte* 4 (1998): 105–8.

7, where Joshua is appointed as the new leader of Israel. This suggests that the succession of Moses is as important as the Horeb and the Moab covenants. This is in accordance with the importance attached to Moses in Deuteronomy as the mediator of YHWH's revelation (mentioned in Deut. 5: 5 even before the Decalogue).⁵² The death of Moses is the end of an era. At the decisive moment when Moses's mediation comes to an end and Israel stands again at the border of Canaan, there is every reason to renew the fundamental relation between YHWH and Israel.

In conclusion, the Horeb and the Moab covenants are both distinguished and kept closely together in Deuteronomy. YHWH's covenant with Israel is connected to the specific moment at Horeb – "the covenant" often is the Horeb covenant (Deut. 4: 23; 33: 9). However, the events at Horeb are not a moment in the past, but the experience of the present hearers (and readers) of the words of Deuteronomy, thus re-enacting and recalling the Horeb covenant. Not the past or the future, but the present time is decisive (Deut. 5: 3; 11: 2). "Moab is the place which subsumes all previous places in Israel's past, and controls every dimension of Israel's future."⁵³

At the same time, a covenant is made in Moab. According to Deuteronomy, both covenants are made with the same generation; both are an expression of YHWH's will; and the stipulations of both covenants are given at Horeb to Moses. Since the covenants are kept so closely together and since the Moab covenant does not function separately in the rest of the Old Testament, the Moab covenant may best be viewed as a renewal, a confirmation and an explanation of the Horeb covenant, showing that the Horeb covenant applies to new generations as well.⁵⁴ The reason for this renewal may be found in Israel's sins and especially in its present situation. Now is the decisive moment: after the failure at Kadesh (and, less prominent, the crisis with the Baal of Peor), Israel stands again at the border of the promised land. Moses is about to die, and his important mediation will fall away. The privileged position of Israel and of the present generation (implying a greater responsibility) is made clear by a new moment of covenanting.

52 Moses's crucial role is also clear in writing the Torah, its closure and its authority; see Versluis, "And Moses Wrote This Torah," 148–50, 155.

53 J.G. McConville and J. Gary Millar, *Time and Place in Deuteronomy*, JSOTSup 179 (Sheffield: Sheffield Academic Press, 1994), 69.

54 Barker, *Triumph of Grace*, 116, 131–33; Otto, *Deuteronomium* 12–34, 2075–76. Barker calls the Horeb and Moab covenants "fundamentally identical." As Gert Kwakkel shows in his contribution to this volume (pp. 24–33), the idiom כרת ברית (which is used for the covenant in Moab) can be used both for the beginning of a new relationship and for the confirmation or renewal of an existing relationship.

4 The Covenant with the Fathers

YHWH's covenant with Israel's fathers is mentioned three times in Deuteronomy.⁵⁵ In these texts, it is likely that the patriarchs are in view (Deut. 4: 31; 7: 12; 8: 18).⁵⁶ One other text in which YHWH's covenant and the fathers are mentioned most likely refers to the covenant at Horeb (Deut. 29: 24[25]).⁵⁷ Much more often, YHWH is called "the God of your/our fathers"⁵⁸ and his oath to the fathers is mentioned. YHWH's oath is often related to the gift of the land of Canaan.⁵⁹ In this context, there also seems to be a conflation of the generations (see above), since the land is sometimes promised to the fathers and sometimes to the Moab generation ("you").⁶⁰

A few times, the covenant with the fathers is explicitly connected with the Horeb or the Moab covenants. Israel is called to remember that it is YHWH who gave them power and wealth, "so that He may confirm (הקים) his covenant that He swore to your fathers, as it is today" (Deut. 8: 18; cf. 9: 5). The events in Moab are thus considered a confirmation of YHWH's covenant with Israel's fathers. This is also the case in Deuteronomy 29: 12[13], where Israel is established (הקים) as YHWH's people and YHWH as their God (covenantal

55 Jerry Hwang has rightly noted that other terms as well are used for the relation between YHWH and Israel's fathers. Hwang, *The Rhetoric of Remembrance: An Investigation of the 'Fathers' in Deuteronomy*, Siphrut 8 (Winona Lake: Eisenbrauns, 2012), 180–83.

56 The identification of the "fathers" in Deuteronomy is controversial. Thomas C. Römer has stated that the "fathers" originally referred to the exodus generation; only in the final redaction of the Pentateuch they would have been identified with the patriarchs. Römer, *Israels Väter: Untersuchungen zur Väterthematik im Deuteronomium und in der deuteronomistischen Tradition*, OBO 99 (Freiburg: Universitätsverlag, 1990). His views have been extensively criticized and refuted by Bill T. Arnold, "Reexamining the 'Fathers' in Deuteronomy's Framework," in *Torah and Tradition*, ed. Klaas Spronk and Hans Barstad, OtSt 70 (Leiden: Brill, 2017), 10–41; Hwang, *Rhetoric of Remembrance*; Lohfink, *Die Väter Israels im Deuteronomium*.

57 Deut. 29: 24[25] describes the future situation of Israel's disobedience, when it will abandon "the covenant of YHWH, the God of their fathers, which he made with them when he brought them out of the land of Egypt." The words "with them" most likely refer to the exodus generation; it is plausible that the covenant is the covenant at Horeb (a separate covenant connected with the exodus is never mentioned in the Old Testament). The covenant at Horeb is thus connected with YHWH as the God of Israel's fathers. The Septuagint, however, reads 'with their fathers'; in that case, the exodus generation is characterized as Israel's fathers. For the relation between the fathers and the exodus in Deut. 7: 8, see Versluis, *The Command to Exterminate the Canaanites*, 86–89.

58 Deut. 1: 11, 21; 4: 1; 6: 3; 12: 1; 26: 7; 27: 3; 29: 24(25).

59 Deut. 1: 8; 4: 1; 6: 10, 23; 7: 13; 9: 5; 11: 9, 21; 19: 8; 26: 3; 28: 11; 30: 20; 31: 7, 20.

60 See also Hwang, *Rhetoric of Remembrance*, 188–90.

terminology, cf. ברית in verse 11),⁶¹ “as He spoke to you and as He promised to your fathers, to Abraham, to Isaac, and to Jacob.” Here again, the present entrance into the covenant is directly connected with YHWH’s oath to the patriarchs (as their names make unmistakably clear).⁶² Moreover, the parallel use of “you” and “your fathers” underscores the unity of Israel’s generations, even before the Horeb generation (see above § 3).

It is noteworthy that YHWH’s covenant with the fathers is mentioned in Deuteronomy especially in relation to Israel’s disobedience and their breaking of the covenant. In Deuteronomy 4: 23, Israel is warned not to forget the covenant by making any idol. This clearly refers to the Horeb covenant (“the ten words,” Deut. 4: 13). Even if Israel is disobedient, however, YHWH will eventually make Israel return, “because YHWH your God is a merciful God (...) He will not forget the covenant of your fathers that he swore to them” (Deut. 4: 31).⁶³ The covenant with the fathers thus is connected to the Horeb covenant as well.⁶⁴ YHWH’s covenant with the fathers is the reason for his mercy if Israel would break the Horeb covenant (whereas this text is about the future, the Moab covenant is not mentioned). This is illustrated in a historical overview of Israel’s disobedience in the past. After the rebellion with the calf at Horeb, YHWH was about to destroy Israel. Moses, however, intervened by pleading that YHWH “remember his servants, Abraham, Isaac, and Jacob” (Deut. 9: 27). A covenant or an oath is not mentioned in this context, but the names of the patriarchs and the appeal to remember suggest that this is intended.

In sum, the covenant with the fathers does not have a prominent role in Deuteronomy. It functions as YHWH’s founding promise that He will remember or on which Israel can plead when the covenant is broken. The covenant with the fathers is the supporting foundation under the history of

61 The construction of Deut. 29: 12[13], a transition of an infinitive construction to a finite verb (... והוא יהיה לך ... למען הקים אתך ... והוא יהיה לך ...), may seem strange, but is not uncommon in Biblical Hebrew; see Eduard König, *Historisch-comparative Syntax der Hebräischen Sprache: Schlussteil des Historisch-kritischen Lehrgebäudes des Hebräischen* (Leipzig: Hinrichs, 1897), § 413a(–e).

62 The connection between the covenant at Horeb and Israel’s fathers is more implicit in Deut. 29: 24[25]: YHWH, the God of Israel’s fathers, made a covenant with them (see note 57 above).

63 In Deut. 30, the fathers are also mentioned in the context of Israel’s future repentance and return. YHWH will then make Israel more prosperous and more numerous than their fathers (Deut. 30: 5). This may refer, however, to Israel’s ancestors in general. In v. 20, reference is made to YHWH’s oath to the patriarchs to give them the land.

64 Cf. Rendtorff, *Die Bundesformel*, 65.

their progeny.⁶⁵ It is more lasting and more comprehensive than the Horeb covenant, since it remains in force even when the Horeb or Moab covenant is broken; the emphasis is on YHWH's unilateral promise.⁶⁶

5 The Future of the Covenant

In addition to its reflections on the patriarchal and the Horeb covenants and its description of the making of the Moab covenant, Deuteronomy deals with the future of the covenant between YHWH and Israel. Deuteronomy 31: 9–13 contains prescriptions about a regular reading of the Torah, once every seven years at the festival of booths. The emphasis on the required presence of all Israel and the formulations used recall Israel's assembly at Horeb (Deut. 4: 10). Thus, although the word ברית is not used in this context, the septennial reading of the Torah is characterized as a re-enactment of the events at Horeb.⁶⁷ Israel's presence at Horeb and the Deuteronomic Torah are thus transmitted to future generations. This is also evident from the emphasis on learning and teaching to the Israelite children (Deut. 6: 6–9; cf. 5: 1).⁶⁸ It seems that, by means of the regular re-enactment of the Horeb event and by means of daily keeping YHWH's commandments, there is a continuous renewal and confirmation of the covenant between YHWH and Israel.⁶⁹

In Deuteronomy 29: 13–14[14–15], the future generations are explicitly included in the covenant. "I am making this covenant and this curse not with you only, but with those who are here with us today, standing before YHWH our God, and with those who are not here with us today." The latter expression most likely refers to future generations of Israel (cf. Deut. 29: 21[22], 28[29]).⁷⁰

65 Hwang, *Rhetoric of Remembrance*, 178–232. Hwang rightly argues for one covenant between YHWH and Israel through time, but his thesis that the 'fathers' in Deuteronomy "function as a timeless symbol of every generation of God's people" (233) is an overstatement and overlooks the importance of the historical foundation of YHWH's covenant.

66 Lohfink, "Der Neue Bund im Buch Deuteronomium," 104–5. Cf. Veijola, *Deuteronomium*, 142.

67 See Versluis, "And Moses Wrote This Torah," 150–51.

68 See David G. Firth, "Passing on the Faith in Deuteronomy," in *Interpreting Deuteronomy: Issues and Approaches*, ed. David G. Firth and Philip S. Johnston (Downers Grove: IVP Academic, 2012), 157–76.

69 Cf. McConville, *Deuteronomy*, 384.

70 In Ancient Near Eastern treaty texts, it is also specified that the stipulations apply to future generations as well; see Christensen, *Deuteronomy*, 718; Lundbom, *Deuteronomy*, 807. Otherwise Alexander Rofé, "The Covenant in the Land of Moab (Dt 28,69–30,20): Historico-Literary, Comparative, and Formcritical Considerations," in *Das Deuteronomium:*

So, the covenant is extended to the future, even “forever” (Deut. 29: 28[29]). It should be noted that the contrast with the present generation is not absolute (לא אתכם לבדכם). This is different from Deuteronomy 5: 3, where the contrast with Israel’s ancestors is absolute. Apparently, the past may be relativized in favor of the present generation, but the present may not be relativized (cf. verse 14, where both present and future generations are mentioned).⁷¹

Deuteronomy’s expectations of the future, however, are not positive; it anticipates Israel’s disobedience and breaking of the covenant.⁷² This possibility was already clear in the descriptions of Israel’s history (Deut. 1: 19–46; 9: 7–10: 11). Israel is warned not to forget the covenant YHWH made with them, by making an idol (Deut. 4: 23) or by making a covenant with the nations of Canaan (Deut. 7: 2). In the laws of Deuteronomy, it is stipulated that any Israelite transgressing YHWH’s covenant by worshiping other gods should be put to death (Deut. 17: 2–7). In the final chapters of the book, it is anticipated that Israel as a whole will forsake YHWH and break his covenant (Deut. 29: 24[25]; 31: 16, 20). But in the end, Israel will return. A new covenant in the future, however, is not envisaged. Rather, YHWH will remember and hold on to the existing covenant with the fathers (Deut. 4: 30–31). In Deuteronomy 30: 1–10, Israel’s return is described; blessings and curses are mentioned in this passage, but there is no mention of a renewed or a new covenant.

This reading stands in contrast to the thesis of A. Cholewinski, who has argued that the Moab covenant is a prefiguration of the new covenant as announced by the prophets (Jer. 31: 31–34, a.o.). According to him, Deuteronomy 28: 69 (29: 1) makes clear that the Moab covenant is not an explanation or a renewal of the Horeb covenant, but a covenant on its own. Since Israel has no heart to understand (Deut. 29: 3[4]) and the Horeb covenant is thus ineffective (cf. Deut. 29: 24[25]), the Moab covenant now is a better and more comprehensive covenant, which has several parallels with the ‘new covenant’ mentioned by the prophets. Cholewinski notes the following similarities: there is a promise of inner change, at the time when YHWH again gathers his people, accompanied by his rich blessings (cf. Deut. 30: 1–10). Thus, the Moab covenant could be viewed as a prefiguration of the new covenant.⁷³ However, while there

Entstehung, Gestalt und Botschaft, ed. Norbert Lohfink, BETL 68 (Leuven: University Press, 1985), 312. According to Rofé, Deut. 29: 13[14] refers to members of the community who did not participate in the ceremony. This is unlikely, however, given the emphasis on the presence of all Israel in Deut. 29: 11–12[12–13].

71 In Deut. 11: 2, the emphasis is on the present generation as well: “it is not your children who do not know” but the present generation that should acknowledge YHWH.

72 See Barker, *Triumph of Grace*.

73 Cholewinski, “Zur theologischen Deutung des Moabbundes.”

are certain parallels between Deuteronomy's view of the future and the new covenant of the prophets, there are also relevant differences. In Deuteronomy, the inner change of Israel follows the envisaged failure of the Moab covenant. Israel's change is promised for the future, but it is not the main content of the covenant, as in Jeremiah 31. A reference to a covenant is lacking in the Deuteronomic view of the future. Moreover, the Moab covenant is connected more closely to the Horeb covenant than Cholewinski suggests.⁷⁴

Deuteronomy does not envisage a new covenant. Rather, the future is regarded as an unfolding of the Moab covenant. Deuteronomy 29–32 has been characterized as a motor of the whole history of salvation.⁷⁵ The realization of the blessings and curses of the covenant is described in the Deuteronomistic History. Thus, while the Moab covenant is not mentioned separately elsewhere in the Old Testament, its influence is clear. Only the promised circumcision of the heart (Deut. 30: 6) will bring an end to the dialectic of blessing and curse.⁷⁶ The prophets could take up this promise and elaborate it to the 'new covenant.'

6 Conclusion

YHWH's covenant with Israel is an important concept in Deuteronomic theology. It is connected with several moments in Israel's history, while it is being continually renewed as well. This contribution focuses on the covenant that is being made in Deuteronomy and its relation to the Horeb and the patriarchal covenants.

The covenant made at Horeb may be described as the central covenant. The events at Horeb are recalled and actualized for the present generation. The Moab generation is identified with the Horeb generation; Israel as a nation is viewed as a unity, even through time. This also applies to future generations and is implied for the future readers of Deuteronomy.⁷⁷ YHWH's covenant with Israel is rooted in a specific moment in the past. It is re-enacted and recalled in the ongoing present of Deuteronomy and it is open toward the future.

74 See also Lohfink, "Der Neue Bund im Buch Deuteronomium," 113–20.

75 Cholewinski, "Zur theologischen Deutung des Moabbundes," 107–8: "ein wahrer Antriebsmotor der ganzen Heilsgeschichte."

76 Otto, *Deuteronomium* 12–34, 2076.

77 The same idea functions in the Jewish Passover liturgy and in Christian liturgy at Christmas, Good Friday and Easter, when every new generation is considered present at the decisive moments of God's saving acts. Cf. Walter Brueggemann, *Deuteronomy*, AOTC (Nashville: Abingdon, 2001), 65; Lundbom, *Deuteronomy*, 268.

The Moab covenant is described in and is being made by the speech-act narrated in the text of Deuteronomy. On the one hand, the Moab covenant is clearly distinguished from the Horeb covenant. In the narrated time of Deuteronomy ("today"), Israel is constituted as the people of YHWH and is entering into his covenant. On the other hand, the Moab covenant is kept close to the Horeb covenant in terms of origin and authority. Deuteronomy's emphasis is on the present of the covenant and the responsibility of the present generation, which fits the described situation of Deuteronomy at the border of Canaan. So, the Moab covenant may be interpreted as a renewal and an elaboration of the Horeb covenant, being at the same time very close to it. The Moab covenant is closely connected to Moses's imminent death and the decisive moment of Israel's entrance into the land. At the same time, it looks further into the future when it deals with Israel's future disobedience and YHWH's ongoing faithfulness.

The covenant with the fathers may be viewed as the foundational basis of YHWH's relation with Israel, undergirding the Horeb and the Moab covenants. YHWH's covenant with or his oath to the fathers is mentioned in situations when the Horeb covenant is broken. The present entrance into the land and into the covenant is described as the fulfillment of YHWH's promises to the patriarchs. The patriarchal covenant is more lasting and more comprehensive than the Horeb covenant.

As for the future, YHWH's covenant with Israel will be ratified in the ceremony on Mounts Ebal and Gerizim and it will be re-enacted by the septennial reading of the Torah at the festival of booths. Israel's reading and obeying of the Deuteronomic Torah may also be viewed as an ongoing confirmation of the covenant.

Finally, it may be asked how many covenants there are, according to Deuteronomy. It is noteworthy that ברית is never used in the plural in the Old Testament. Moreover, the various 'covenants' between YHWH and Israel are closely connected. Therefore, it seems better to speak of one covenant between YHWH and Israel which is renewed several times, and which has some central marking points.⁷⁸ This relativizes the common distinction between one covenant and a variety of covenants. YHWH's covenant in Deuteronomy is not made once and for all, but is re-enacted and actualized in a new situation, and confirmed in the septennial reading and daily obedience. The focus in Deuteronomy is on the decisive moment for the present generation, but always connected with Israel's past and future. At the same time, there is a

78 See Rendtorff, *Die Bundesformel*, 80–88, who argues this for the Old Testament as a whole. See the contribution of Gert Kwakkel in this volume, whose viewpoint is slightly different.

large degree of continuity between the various moments of covenanting. This pleads against the idea of ‘dispensations,’ according to which every covenant would mark a new era of God’s dealing with his people. In Deuteronomy, the covenant involves a dynamic relationship which constantly places humans before God in a continuing present.

Thus, the covenant between YHWH and Israel is connected to several important moments in Israel’s history. The Horeb events may be considered as the core of the Deuteronomic concept of the covenant; the covenant with the patriarchs is foundational, and the events at Moab are an actualization and renewal of YHWH’s covenant with Israel. The renewal of the covenant is quite important, even decisive for the present generation; but since it is a renewal of an existing covenant, this may explain why the Moab covenant has no independent function and is even never mentioned elsewhere in the Old Testament. At the same time, Deuteronomy time and again emphasizes the ongoing present of the covenant. The recurring “today” has the rhetorical effect of making Deuteronomy’s readers aware that every new generation is part of the same dynamic of an ongoing actualization. The remembrance of Horeb with the repetition of the ten words, the formula in Deuteronomy 26: 17–19, the preview of the events at Mounts Ebal and Gerizim, and the entrance into the covenant in Deuteronomy 29: 11[12] are all part of the same dynamic. YHWH’s covenant with Israel extends from Horeb (even the patriarchs) via Moab to the future (Mounts Ebal and Gerizim, the festival of booths, and daily citing and obeying the Torah). Deuteronomy’s emphasis, however, is on the ongoing present of standing before YHWH and responding to his promises and demands.

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What Does David Have to Do with It? The Promise of a New Covenant in the Book of Isaiah

Jaap Dekker

1 Introduction

Though the book of Isaiah does not use the terminology of a ‘new’ covenant, the promise of God again making a covenant with his people does occur in the second and third parts of the book.¹ This covenant is called “an everlasting covenant” in Isaiah 55: 3 and 61: 8, and seems to correspond to the “covenant of peace” mentioned in Isaiah 54: 10.

The books of Jeremiah and Ezekiel also make use of this terminology.² Characteristic of eschatological promises within these books, however, is that in some way David is part of them.³ This seems to be different in the book of Isaiah. For a long time biblical scholars have noticed that David is remarkably absent in the prophecies collected within the second and third parts of the book. The only exception is the mention of “the sure mercies of/for David” (חֶסֶדִּי דָוִד הַנֶּאֱמָנִים) in Isaiah 55: 3. Since Gerhard von Rad this exception, however, has often been understood as confirming the rule, for according to the now usual interpretation of this text the downfall of the Davidic kingdom caused a democratization of the covenant with David⁴ and a transfer of its

1 ‘Covenant’ is used in this article as a translation of the Hebrew word בְּרִית designating the concept of God’s relationship with his people, as an officially regulated bond. With regard to the difficulties in translating בְּרִית adequately into modern languages, see the contribution of Gert Kwakkel in this volume, “Berith and Covenants in the Old Testament,” 21–23.

2 Cf. Jer. 32: 40; 50: 5; Ezek. 34: 25; 37: 26.

3 See Jer. 33: 15–26; Ezek. 34: 23–24; 37: 24–25; cf. Jer. 23: 5; 30: 9. Cf. Bernard Gosse, “La nouvelle alliance et les promesses d’avenir se référant à David dans les livres de Jérémie, Ezéchiel et Isaïe,” *Vetus Testamentum* 41 (1991): 419–28, and Karel A. Deurloo, “King and Temple: David in the Eschatology of the Prophets,” in *The New Things: Eschatology in Old Testament Prophecy; Festschrift for Henk Leene*, ed. F. Postma, K. Spronk, and E. Talstra, ACEBTSup 3 (Maastricht: Shaker, 2002), 49–60.

4 The source text of the Davidic covenant is the dynastic promise in 2 Sam. 7: 8–16, which is called “an everlasting covenant, ordered in all things and secure” in David’s latter words (2 Sam. 23: 5; cf. Ps. 89: 4(3), 29(28), 35(34), 40(39); 2 Chron. 21: 7).

promises to the people as a whole. As a result of this redefinition the Davidic covenant has lost here its original sense.⁵

This consensus view, however, does not explain why “the mercies of/for David” are still declared to be “sure” or “steadfast” (הַנְּאֻמִּים). This seems to indicate an ongoing significance of David, in one way or another, depending on how one understands the genitive in the expression הַנְּאֻמִּי דָּוִד. Instead of the consensus view, some biblical scholars advocate a straightforward Messianic reading of Isaiah 55: 3b–5⁶ or opt for an alternative non-Messianic view.⁷ In this article I will briefly describe these different readings and, reflecting on the biblical-theological approach of the Dutch senior scholar Henk de Jong,⁸ I will provide a theological interpretation of the covenant with David within the context of the promise of a new covenant in the book of Isaiah.

2 Isaiah 55: 3b in Its Context

Within the Hebrew Bible the oracle of Isaiah 55: 1–5 constitutes a separate unit.⁹ The oracle is an invitation to participate in the salvation the Lord will bring near and culminates in a promise concerning the making of a covenant. The literary context indicates that the addressees should be identified as the servants of YHWH who have just been mentioned at the end of the previous pericope¹⁰ and who represent the offspring of Zion¹¹ as well as the offspring of the Servant.¹²

5 Gerhard von Rad, *Theologie des Alten Testaments*, vol. 2 (München: Kaiser, 1960), 250.

6 E.g. Peter J. Gentry, “Rethinking the ‘Sure Mercies of David’ in Isaiah 55:3,” *Westminster Theological Journal* 69 (2007): 279–304.

7 E.g. André Caquot, “Les ‘Graces de David’: A propos d’Isaie 55/3b,” *Semitica* 15 (1965): 45–59; Willem A.M. Beuken, “Isa. 55,3–5: The Reinterpretation of David,” *Bijdragen* 35 (1975): 49–64.

8 Henk de Jong, *Van oud naar nieuw: De ontwikkelingsgang van het Oude naar het Nieuwe Testament* [From old to new: The development from the Old to the New Testament] (Kampen: Kok, 2002). The Theological University of Kampen in the Netherlands houses a Chair “Biblical Studies and Christian Identity,” which is established in honor of Henk de Jong. The present author is holder of this Chair.

9 For a detailed investigation of the structure of Isa. 55 as a whole, see Marjo C.A. Korpel and Johannes C. de Moor, *The Structure of Classical Hebrew Poetry: Isaiah 40–55*, OtSt 41 (Leiden: Brill, 1998), 606–32. Cf. Simone Paganini, *Der Weg zur Frau Zion, Ziel unserer Hoffnung: Aufbau, Kontext, Sprache, Kommunikationsstruktur und theologische Motive in Jes 55,1–13*, SBB 49 (Stuttgart: Katholisches Bibelwerk, 2002).

10 Isa. 54: 17.

11 Isa. 54: 3.

12 Isa. 53: 10; cf. 54: 13. See Jaap Dekker, “The Servant and the Servants in the Book of Isaiah,” *Sárospataki Füzetek* 16 (2012): 33–45.

After a series of many imperatives, in verse 3b YHWH himself promises, in first person language, to make an everlasting covenant for them:¹³

וְאָכַרְתָּהּ לָכֶם בְּרִית עוֹלָם I will make for you an everlasting covenant:
חֶסֶדִי דָוִד הַנְּאֻמָּנִים the sure mercies of/for David.

This announcement consists of two cola of which the second syntactically is an apposition to the first. This means that חֶסֶדִי דָוִד הַנְּאֻמָּנִים (“the sure mercies of/for David”) has to be understood as a clarification of the just mentioned בְּרִית עוֹלָם (“everlasting covenant”). In the translation this syntactical relationship is marked by the use of a colon. However, the meaning of this clarification is not at once clear. The problem most discussed is how to interpret the genitive in the expression חֶסֶדִי דָוִד. Does this indicate the sure mercies of David himself – David being the *subject* – or the sure mercies which YHWH has given to David – David being the *object* of the phrase?¹⁴ Remarkably, the חֶסֶדִי דָוִד are also mentioned in the prayer of Solomon in 2 Chronicles 6: 42. In this text Bible translators differ equally in their understanding of the genitive. Some even translate differently in both texts.¹⁵

3 Consensus View

The appearance of the Old Testament Theology of Gerhard von Rad,¹⁶ and a study of Otto Eissfeldt shortly thereafter,¹⁷ have been very influential within Old Testament scholarship. Since then a consensus has grown that חֶסֶדִי דָוִד הַנְּאֻמָּנִים alludes to the Davidic covenant and thus refers to the sure mercies

13 Willem A.M. Beuken, *Jesaja* [Isaiah], vol. 2B, POuT (Nijkerk: Callenbach, 1983), 284. Beuken draws attention to the preposition לְ, which is used instead of עִם. The same phenomenon occurs in Ps. 89: 4(3) and 2 Chron. 21: 7. Cf. Moshe Weinfeld: “Der Ausdruck mit לְ wird von einem Höheren, besonders einem Sieger, gebraucht, der einem Niedrigeren Bedingungen vorschreibt ... oder Rechte und Privilegien gewährt ...”; Moshe Weinfeld, “בְּרִית,” in *ThWAT*, 1:787.

14 Cf. Caquot, “Les ‘Graces de David,’” 45–59; Hugh G.M. Williamson, “‘The Sure Mercies of David’: Subjective or Objective Genitive?,” *Journal of Semitic Studies* 23 (1978): 31–49. Caquot argues for דָוִד חֶסֶדִי as a subjective genitive, while Williamson understands it as an objective genitive.

15 Cf., e.g., the American Standard Version (1901) and the Dutch Nieuwe Bijbelvertaling [New Bible translation] (2004).

16 Von Rad, *Theologie des Alten Testaments*, vol. 2.

17 Otto Eissfeldt, “The Promises of Grace to David in Isaiah 55:1–5,” in *Israel's Prophetic Heritage: Essays in Honor of James Muilenberg*, ed. Bernhard W. Anderson and Walter J. Harrelson (New York: Harper, 1962), 196–207.

which YHWH in the past has given *to* David (objective genitive). According to this view הַנְּאֻמִּים דָּוִד הַסֵּדִי has to be understood just as יְהוָה הַסֵּדִי and אֲמוֹנָתָךְ in Psalms 89: 2(1), 3(2), 6(5), which clearly refer to gracious deeds bestowed upon David. Whether or not Psalms 89 was known to the prophet of Isaiah 55, in any case both texts draw from the same tradition.¹⁸ However, they deal with it quite differently. Isaiah 55: 1–5 does not sustain the ancient promise, that there will always be an heir of David on the throne of Jerusalem, any longer. After the exile it is the people as a whole that will be privileged with the same promises which before had been given to David. From now on, Israel will be the נָגִיד “sovereign” of the nations.¹⁹ Von Rad has already qualified this as a “bold reinterpretation” and a “democratization” of the longstanding tradition concerning David, which, in fact, robbed this tradition of its specific content. According to Von Rad the oracle represents an extreme example of the liberty prophets allowed themselves in interpreting Israel’s traditions.²⁰

Since Von Rad and Eissfeldt, a vast majority of Old Testament scholars have taken over the characterization of Isaiah 55 as a reinterpretation of the Davidic covenant in a democratizing or nationalizing way.²¹ Willem Beuken, however, has described this consensus view as “an opinion that is in imminent danger of becoming an unfounded dogma of biblical theology.”²²

4 Alternative Non-Messianic Interpretations

When הַנְּאֻמִּים דָּוִד הַסֵּדִי refers alternatively to the sure mercies *of* David himself (subjective genitive), according to André Caquot this may indicate that the now proclaimed covenant, in fact, is a recompense for the pious deeds of David, especially his zeal for bringing the ark to Jerusalem and preparing the

18 Eissfeldt, “Promises of Grace,” 199–201.

19 Cf. 2 Sam. 7: 8.

20 Von Rad, *Theologie des Alten Testaments*, 2:250.

21 See, e.g., Katharine D. Sakenfeld, *The Meaning of Heseḏ in the Hebrew Bible: A New Inquiry*, HSM 17 (Missoula: Scholars Press, 1978), 203–4; William M. Schniedewind, *Society and the Promise to David: The Reception History of 2 Samuel 7:1–17* (New York: Oxford University Press, 1999), 115–16; Jacob Stromberg, “The Second Temple and the Isaianic Afterlife of the דָּוִד הַסֵּדִי (Isa 55.3–5),” *Zeitschrift für die alttestamentliche Wissenschaft* 121 (2009): 242–44. John Goldingay defines the supposed democratization of the Davidic covenant as God’s “bettering it by going back to the commitment that lay behind it,” by which he means God’s commitment to the whole people, his “plan A.” *Old Testament Theology*, vol. 2: *Israel’s Faith* (Downers Grove: IVP Academic, 2006), 751.

22 Beuken, “Isa. 55.3–5,” 49.

construction of the temple.²³ Referring to the historical David, Isaiah 55: 3, then, is still understood in a non-Messianic way.²⁴

Initially Willem Beuken also preferred to understand *דודי דוד* as a subjective genitive, following the lead of Caquot and translating it as “the manifestations of David’s loyalty.”²⁵ Beuken, however, does not connect it with David’s zeal for the ark and the temple, but with the reliable loyalty he had shown to God “by the active witness which he bore to the nations having reached a commanding position among them.” Beuken extensively describes how verses 4 and 5 relate to each other and together elaborate on verse 3b. Referring to their form and content, he understands these verses as depicting the relation between David and Israel as a contrast, applying verse 4 to David and verse 5 to Israel. Beuken suggests that Isaiah 55: 4–5 makes use of and reinterprets themes from Psalms 18: 44–46(43–45), where David recounts that YHWH has made him “the head of the nations” and that “people whom he had not known” were serving him. The oracle also alludes to Psalms 18: 50(49), where David concludes that he will praise YHWH among the nations. By these deliberate references Isaiah 55: 4 depicts David as someone who brought the nations in touch with God “by bearing witness to God’s help, which gave him supremacy over the peoples,” whereas Isaiah 55: 5 states that “Israel attracts mankind because God overwhelms her with splendour.” This represents a creative prophetic reinterpretation of David. Thus, David is not mentioned as a reason for the making of an everlasting covenant, but only by way of illustration, “to demonstrate, by way of contrast, the redundancy (read: abundance, *JD*) of the new covenant which God offers to Israel.”²⁶

A few years later, however, Beuken has been persuaded by another Isaiah scholar, Hugh Williamson,²⁷ that *דודי דוד* should be understood as an objective genitive. He, then, appeals to grammar, context and tradition history and no longer disputes that Isaiah 55: 3–5 refers to the Davidic promise of 2 Samuel 7 or covenant of Psalms 89. Beuken still interprets the mention of the mercies to David in a non-Messianic way, for David is only mentioned by way of comparison, because he embodies the great loyalty of YHWH to concrete people to whom he attached himself for ever in order to include even their offspring in his blessings.²⁸

23 Cf. Ps. 132; 2 Chron. 6: 42.

24 See Caquot, “Les ‘Graces de David,’” 53. Caquot appeals to Rashi.

25 Beuken, “Isa. 55:3–5,” 63.

26 Beuken, “Isa. 55:3–5,” 62–64.

27 Williamson, “‘The Sure Mercies of David,’” 31–49.

28 Beuken, *Jesaja*, 2B:284–88.

5 Messianic Reading

Traditionally, the announcement of Isaiah 55: 3 has often been read as a Messianic prophecy. In most cases this Messianic reading is presented by scholars who understand $\text{יְהוָה הַסֵּדִי יְיָ}$ as an objective genitive. In that case the sure mercies given *to* David are interpreted as announcing a renewal of the divine promises to David as part of the proclaimed everlasting covenant.²⁹ Mention should be made here of Walter Kaiser who pleads for a Messianic reading, but argues that the oracle is not Messianic in a direct sense. To substantiate his view, Kaiser refers to David's prayer in 2 Samuel 7: 19, which already connects the just received Davidic promise with a blessing for all humanity.³⁰

Among the scholars who prefer understanding $\text{יְהוָה הַסֵּדִי יְיָ}$ as a subjective genitive, Peter Gentry has opted for a straightforward Messianic interpretation.³¹ He argues that the sure mercies *of* David allude to the new David, whom Old Testament prophecy sometimes mentions as being expected in the future.³² For support for his understanding, Gentry appeals to Caquot and to the 1975 study of Beuken, but he missed the fact that Beuken, even as early as 1983, had already corrected his previous understanding, being persuaded by the arguments of Williamson, which Gentry still rejects as "special pleading" and "specious linguistic reasoning." Gentry, however, agrees with Williamson that "acts of grace and kindness by King David do not satisfy the context in Isa 55."³³ Referring to the expected obedience of the Davidic son in 2 Samuel 7: 14–15, he suggests that the mention of David in Isaiah 55: 3 could be construed "as a rubric for the future king who will arise from the Davidic dynasty," and argues that verse 4 is equally about the future David who, fulfilling his covenant obligations, will be a witness to the nations and a leader and commander of the peoples.³⁴

To substantiate this interpretation, Gentry extensively appeals to 2 Samuel 7: 19 where the promise for the house of David is called "the instruction for humanity" (תּוֹרַת הָאָדָם). He understands the logic behind this expression as

29 Caquot mentions B. Duhm (1892), N. Glueck (1927), A. Bentzen (1943), J. Morgenstern (1949), J. Klausner (1955), S. Mowinckel (1956), and L.G. Rignell (1956). "Les 'Graces de David,'" 51–52.

30 Walter C. Kaiser, "The Unfailing Kindnesses Promised to David," *Journal for the Study of the Old Testament* 45 (1989): 91–98.

31 Gentry, "Rethinking," 279–304. See also Peter J. Gentry and Stephen J. Wellum, *Kingdom through Covenant: A Biblical-Theological Understanding of the Covenants* (Wheaton: Crossway, 2012), 406–21.

32 Jer. 30: 8–9; Ezek. 34: 23–24; 37: 24–25; Hosea 3: 5.

33 Gentry, "Rethinking," 281–82, 297.

34 Gentry, "Rethinking," 292, 294–97.

a reference to the task of the Davidic king of being a faithful son of God to function as “the instrument of bringing Yahweh’s Torah to all the nations” and connects this with the Isaianic Servant of YHWH who will bring justice to the nations.³⁵ Thus directly linking the Davidic king and the Servant of YHWH, Gentry concludes that “the faithful kindnesses of David”, in fact, “are those of the Servant King in Isa 53 whose offering of himself as an *ʾāšām* and whose resurrection enable him to bring to fulfillment the promises of Yahweh in the Davidic Covenant and [who] is at the same time the basis for the New or Everlasting Covenant.”³⁶

6 The Biblical-Theological Approach of Henk de Jong

Having briefly described the most important differences in the exegesis of Isaiah 55: 3, it appears that the exegetical choices scholars make are often closely connected to their understanding of the Davidic covenant and its meaning within the context of Old Testament theology in general and the expectation of a new covenant in particular.

In the Netherlands, the Old Testament senior scholar Henk de Jong has developed a canonical view of the concept of covenant, in which he specifically focuses on the theological meaning of the Davidic covenant in the context of the relationship between the Old and New Testaments. De Jong, in fact, understands the Davidic covenant as “a covenant within a covenant” which was meant to anchor and to reinforce the Sinai covenant.³⁷ He argues that there has always been an apparent weakness in the Sinai covenant, for it was made dependent on the loyalty and obedience of the humans within that covenant.³⁸ The Golden Calf incident, shortly after the making of the covenant, immediately revealed that for that reason the Sinai covenant would never reach its goal. Though it was founded on the unconditional covenant with the patriarchs, the conditional format of the Sinai covenant itself³⁹

35 Gentry, “Rethinking,” 287–88, 294–97, with reference to Isa. 42: 1–4; 49: 1–6.

36 Gentry, “Rethinking,” 301.

37 De Jong, *Van oud naar nieuw*, 94.

38 De Jong, *Van oud naar nieuw*, 89–92. De Jong defines the Old Testament covenant as a reciprocal and personal relationship of which the formula “I will be their God, and they shall be my people” (Jer. 31: 33) is characteristic. He is acquainted with the scholarly discussion of the meaning of the Hebrew word בְּרִית, but he consciously uses the word “covenant” in a broader sense and supposes that the concept of the covenant originates from family law.

39 Cf. Exod. 19: 3–6.

clearly created a problem which had to be resolved. To deal with this inherent weakness a detailed sacrificial system of reconciliation with priests and offerings was put in place. But in practice this sacrificial system as well was dependent on its observance by the human side of the covenant. History would show that Israel often failed and thereby brought in danger the future of God's covenant with them. Psalms 78: 56–64 describes the fundamental crisis Israel was in at the end of the period of the judges. De Jong, then, argues, referring to Psalms 78: 65–72, that the Davidic covenant in essence was meant to fortify the human partners of the Sinai covenant by reinforcing it with the unconditional Messianic promise and thus to guarantee its future.⁴⁰

First of all, David and his descendants had to take care of the temple where YHWH would reside among his people and reconciliation would be established on the altar.⁴¹ Initially it may seem that this does not solve the problem of the inherent weakness of the Sinai covenant, for the Davidic kings often failed just as Israel itself and there is a conditional element in the Davidic covenant as well.⁴² But in contrast to the Sinai covenant, the Davidic promise itself is ultimately unconditional,⁴³ for it is closely connected to and even anchored in God's election of Zion which theologically precedes his election of David.⁴⁴

De Jong, then, concludes that David and Zion together prepare for the new covenant which was announced in the Old Testament and would be inaugurated with the coming of Jesus Christ, whom the New Testament reveals as being the fulfillment of both David and the temple.⁴⁵ By way of illustration, De Jong often utilizes the model of an hourglass, which has a wide base, narrows gradually and after its narrowest point becomes wider again. Within a canonical perspective, the Old Testament narrative begins widely with the creation of heaven and earth and of mankind (אָדָם) destined to live on the ground (אֲדָמָה) from which it, according to Genesis 2: 7, has been formed. The appearance of evil and the occurrence of sin pose the question how the אָדָם and the, because of him, now cursed אֲדָמָה will be reconciled to each other and both with God. From the calling of Abraham onwards there is a narrowing in God's dealings with humankind and with the earth. God increasingly concentrates on, first, electing Abraham/Israel and the land of Canaan, then on electing within them

40 De Jong, *Van oud naar nieuw*, 87–93, 97–98.

41 De Jong, *Van oud naar nieuw*, 100–102. De Jong is referring to Ps. 132: 3–5.

42 2 Sam. 7: 14; 1 Kings 2: 4; cf. 1 Kings 8: 25–26; Ps. 89: 31–33(30–32); 132: 12.

43 2 Sam. 7: 15–16; Ps. 89: 20–38(19–37); 132: 11.

44 De Jong, *Van oud naar nieuw*, 31–32, 35–36. De Jong is referring to Ps. 132: 13–18, which is connected to the previous verses by the particle וְ.

45 De Jong, *Van oud naar nieuw*, 103–4.

46 Gen. 3: 17–19.

the tribe as well as the land of Judah, and, finally, on electing David and Zion. David and Zion ultimately prepare for the narrowest point of the hourglass model, which is the appearance of Christ as both the fulfillment of the Davidic promise and the fulfillment of the temple. Then God's dealings quickly widen again from Israel to the nations⁴⁷ and from the promised land to the earth.⁴⁸

In presenting this hourglass model, De Jong underlines the idea that every stage of concentration at the same time functions as a representation. Thus, God does not withdraw from the nations when he elects Israel and does not withdraw from the people of Israel when he elects David, but the interests of the nations are dealt with by his election of Israel and the interests of Israel are dealt with by his election of David. In the same way the interests of the earth are in view when God elects Canaan and Zion. Being "a covenant within a covenant" the Davidic covenant thus has always been for the benefit of the people of Israel as a whole⁴⁹ and ultimately also for the benefit of all of humanity.⁵⁰

In this context De Jong also refers to Isaiah 55: 3. Instead of reading this oracle as a democratization of the Davidic covenant, De Jong thinks it better to maintain the reality of both covenants. He suggests interpreting the reference to the Davidic covenant here as a reinforcement of the covenant with the people of Israel by connecting it with the unconditional promise of the Davidic covenant. Announcing the making of an everlasting covenant, God declares that he will remain loyal to his covenant with the people, but he manifests this loyalty in his dealings with the house of David. To stay in the covenant Israel, therefore, has to focus on the gracious deeds of God to David and his house, in the past as well as in the future.⁵¹ Reflecting on the relationship between the Davidic covenant and the promise of a new covenant as described in Jeremiah 31: 31–34, De Jong concludes that both are unconditional and function as a reaction to the failure of the Sinai covenant. The new covenant, in fact, is a continuation of the Sinai covenant, but without its weaknesses. In that sense De Jong argues that both the Davidic covenant and the promise of a new covenant essentially refer to the same reality of God offering means of reconciliation and forgiveness to his people. The Davidic covenant itself already was a renewal of the covenant.⁵²

47 Cf. Matt. 28: 19–20.

48 De Jong, *Van oud naar nieuw*, 16, 42–45, with reference to Acts 1: 8; Rom. 4: 13; Eph. 6: 3.

49 Cf. 2 Sam. 7: 24; 1 Chron. 17: 22; Ps. 89: 20(19).

50 De Jong, *Van oud naar nieuw*, 61–66. De Jong is referring to 2 Sam. 7: 19; cf. Gen. 12: 3; Rev. 21: 3.

51 De Jong, *Van oud naar nieuw*, 64, 67, 97.

52 De Jong, *Van oud naar nieuw*, 152–57.

7 Objective Genitive

To evaluate the above described different readings of Isaiah 55: 3 and to understand the reason why David is mentioned here, it is necessary, first, to decide how the genitive in the expression דָּוִד הַחֶסֶד should be understood.

Weighing the arguments, it becomes clear that understanding דָּוִד הַחֶסֶד as an objective genitive has the best credentials. Caquot thought he could find support in the ancient versions, but Williamson convincingly shows that their testimony is more ambiguous than Caquot supposed. Besides, the combined appearance of דָּוִד, חֶסֶד and בְּרִית as well as הַנְּאֻמָּנִים elsewhere in the Old Testament quite specifically refer to the Davidic covenant.⁵³ Beuken's helpful reference to Psalms 18 for understanding the background of Isaiah 55: 3–5 does not exclude the possibility that Psalms 89 has been equally important. In fact, Psalms 18: 51(50) itself already alludes to the Davidic promise by mentioning the חֶסֶד which God shows to David and his descendants forever.⁵⁴

Further support for understanding דָּוִד הַחֶסֶד as the “sure mercies for David” may be derived from Isaiah 54: 10 which also announces a covenant, calling it “my covenant of peace.” To emphasize the stability of this covenant, it is parallelized with the חֶסֶד of YHWH: “my steadfast love shall not depart from you, and my covenant of peace shall not be removed” (וְחֶסֶדִי מֵאֲתֶד לֹא יִמוּשׁ וּבְרִיתִי). The “everlasting love” (חֶסֶד עוֹלָם) of YHWH has even already been mentioned just before, in Isaiah 54: 8. In reverse order Isaiah 55: 3 put the “everlasting covenant” (בְּרִית עוֹלָם) and the “sure mercies for David” (דָּוִד הַנְּאֻמָּנִים) in parallel. Besides, the remarkable fact that Isaiah 54: 9 explicitly alludes to the content of the Noahic covenant as an argument to emphasize the reliability of the newly announced covenant of peace, strengthens the understanding of the “sure mercies for David” in Isaiah 55: 3 as an explicit allusion to the Davidic covenant in order to emphasize the reliability of the promised new covenant. Both texts might be linked together. The most natural understanding, then, is to interpret Isaiah 55: 4 as a reference to YHWH's past dealings with David,⁵⁵ before, in verse 5, a promise for the present addressee is announced. It may even be in order to strengthen the coherence between both texts concerning God's covenant of peace and his promise of a new covenant that Isaiah 55: 5 suddenly changes from a plural to a singular addressee,

53 Williamson, “The Sure Mercies of David,” 41–43. See also Sakenfeld, *The Meaning of Heseḏ*, 202n67.

54 Williamson, “The Sure Mercies of David,” 47–48. See also Kaiser, “The Unfailing Kindnesses,” 95.

55 Contra Gentry, “Rethinking,” 292, 294–97.

thus creating a correspondence with the singular addressee in Isaiah 54: 10. This singular address does not necessarily mark a change of address within the pericope.⁵⁶

8 The Davidic Covenant

To understand the allusion to the Davidic covenant in Isaiah 55: 3 in the context of the announcement of an everlasting covenant, it is helpful to consider how the Davidic covenant relates to the Sinai covenant which was made with the people of Israel as a whole.

It is remarkable that the standard works of systematic theology hardly reflect on this relationship. Generally, the Davidic covenant is only discussed in the context of Christology. Herman Bavinck, for example, calls Christ the mediator of all the Old Testament covenants: with Adam, Noah, Abraham, David etc., and characterizes the Davidic promise as the foundation and center of all subsequent expectation and prophecy.⁵⁷ Ben Wentzel gives an overview of the covenants without even mentioning the Davidic covenant and Gijsbert van den Brink and Cees van der Kooi only mention the Davidic promise in a paragraph on the sonship of Christ.⁵⁸ This points to the fact that systematic theologians mainly reflect on the covenant on the basis of a theological concept in which distinctions are made between the eternal covenant of redemption, the covenant of works, and the covenant of grace, without evaluating the actual occurrence of several types of בְּרִית in the Old Testament.⁵⁹ Within this regard more interaction between biblical exegesis and systematic theology is

56 Contra John D. Watts, *Isaiah 34–66*, WBC 25 (Waco: Word, 1987), 246. Watts, referring to the use of the second person masculine singular, argues that King Cyrus is the direct addressee of v. 5.

57 H. Bavinck, *Gereformeerde dogmatiek*, vol. 3, 7th unchanged ed. (Kampen: Kok, 1998) 209, 221 [ET: *Reformed Dogmatics*, vol. 3 (Grand Rapids: Baker, 2006)]. Michael Horton also mentions the Davidic covenant only when he deals with the person of Christ, where he emphasizes its unconditional character. Michael S. Horton, *The Christian Faith: A Systematic Theology for Pilgrims On the Way* (Grand Rapids: Zondervan, 2011), 447, 538, 458–59.

58 B. Wentzel, *Dogmatiek*, vol. 2: *De openbaring, het verbond en de apriori's* [Dogmatics, vol. 2: Revelation, covenant, and the apriori's] (Kampen: Kok, 1982), 156–57; G. van den Brink and C. van der Kooi, *Christelijke dogmatiek: Een inleiding* (Zoetermeer: Boekencentrum 2012), 387 [ET: *Christian Dogmatics: An Introduction* (Grand Rapids: Eerdmans, 2017), 425].

59 Horton, therefore, argues explicitly that systematic theology should use scripture as its guide in explaining the meaning of the covenant for the Christian faith. Michael S. Horton, *God of Promise: Introducing Covenant Theology* (Grand Rapids: Baker, 2006). Cf. the

necessary and could be both stimulating and fruitful.⁶⁰ The discipline of biblical theology seems to be most equipped to collect data for the interaction, because of its summarizing character with regard to biblical studies. It does not come as much of a surprise that, thus far, especially works of biblical theology and works of Old Testament theology discuss the Davidic covenant in its own meaning among the various covenants in the Hebrew Bible.⁶¹

From a biblical-theological and canonical perspective, the Davidic covenant can be well understood in line with De Jong, as a covenant which was meant to anchor and reinforce the Sinai covenant. It can adequately be characterized as “a covenant within a covenant”⁶² making the Davidic king responsible for the upholding of the Sinai covenant by the people of Israel and thus for the realization of its promises.⁶³

On two points, however, his approach needs further refinement. First, De Jong distinguishes relatively firmly between the conditional character of the Sinai covenant and the unconditional character of the Davidic covenant. The use of this rubric, however, is not without problems and runs the risk of contrasting these covenants too much.⁶⁴ The suggestion of De Jong that the

contribution of Arnold Huijgen to this volume, “Covenant Theology as Trinitarian Theology,” 306–11.

60 In his contribution to this volume Gert Kwakkel signals a “discrepancy between biblical and theological usage” as regards ‘covenant.’ “Berith and Covenants in the Old Testament,” 23. See also the article of Hans Burger in the present volume, “Theology without a Covenant of Works: A Thought Experiment,” 321–26. Recently, Burger has demonstrated the necessity and fruitfulness of the interaction between biblical exegesis and systematic theology, see his “The Story of God’s Covenants: A Biblical-Theological Investigation with Systematic Consequences,” *Calvin Theological Journal* 54 (2019), 267–99. Arnold Huijgen advocates for a recalibration of covenant theology “in the light of the present state of biblical studies on the covenant.” See his article in this volume, “Covenant Theology as Trinitarian Theology,” 302.

61 See, e.g., Bernhard W. Anderson, *Contours of Old Testament Theology* (Minneapolis: Fortress, 1999), 193–236; Scott W. Hahn, *Kinship by Covenant: A Canonical Approach to the Fulfillment of God’s Saving Promises*, AYBRL (New Haven: Yale University Press, 2009), 176–213; Gentry and Wellum, *Kingdom through Covenant*, 389–431.

62 Contra Michael Horton who contrasts David and Sinai as manifestations of two entirely different covenant traditions which “run side by side throughout the Old Testament.” *God of Promise*, 48.

63 Contra John Goldingay, who states: “Jhwh is committed to David independently of commitment to the people as a whole.” *Old Testament Theology*, vol. 1: *Israel’s Gospel* (Downers Grove: IVP Academic, 2003), 557.

64 Cf. Barend (Bob) Wielenga, “Oud en Nieuw Verbond: contingentie en coherentie in de verbondsgeschiedenis” [Old and new covenant: Contingency and coherence in the history of the covenant], *In die Skriflig* 32 (1998): 338–39; Gert Kwakkel, “Verplichting of relatie: Verbonden in Genesis; Henk de Jong en zijn visie op het verbond” [Obligation or relation: Covenants in Genesis; Henk de Jong and his view of the covenant], in *Verrassend vertrouwd: Een halve eeuw verkondiging en theologie van Henk de Jong* [Surprisingly familiar:

structure of the Sinai covenant itself was deficient already from its beginnings seems to be an oversimplification. On the one hand, it is true that the recurrent disobedience of Israel already began with the Golden Calf incident and led to supplementary cultic provisions.⁶⁵ Israel's inability to serve YHWH is sometimes even clearly stated.⁶⁶ Nevertheless, within the Old Testament there is no indication that the Sinai covenant in itself was inadequate. The Sinai covenant, though conditionally with regard to the realization of its promises, was founded on YHWH's love for the patriarchs⁶⁷ and, therefore, fundamentally established as a covenant of grace. On the other hand, even the Davidic covenant was always meant to evoke a reaction of faith and obedience from the rulers and people of Israel. Its promises would not be fulfilled for those who failed in this reaction,⁶⁸ though YHWH guaranteed that David would always have a lamp in Jerusalem.⁶⁹ The destruction of Jerusalem and the removal of the Davidic king in exile⁷⁰ confirm that the Davidic covenant also exhibited conditional aspects.⁷¹

Second, and for this present study most importantly, further reflection is needed on the relationship between the Davidic covenant and the new covenant as it is promised in the Old Testament. De Jong only parallels these covenants, typifying them both as a reaction to the failure of the Sinai covenant and as a renewal of it. With regard to content, he even seems to consider them identical. Historically, however, it is likely that the promise of a new covenant, which occurs for the first time in the book of Jeremiah, not only has the failure

Half a century of preaching and theology by Henk de Jong], ed. Jan Bouma, Freddy Gerkema, and Jan Mudde (Franeker: Van Wijnen, 2009), 130. Arnold Huijgen criticizes the use Michael Horton makes of this rubric. See his contribution to this volume, "Covenant Theology as Trinitarian Theology," 310–11.

65 Cf. the imbedding of Exod. 32–34 in chapters concerning the service of the Tabernacle (Exod. 25–31 and 35–40), marking a difference with the cultic regulations in the Book of Covenant (Exod. 20: 22–23; 33).

66 Cf. Deut. 31: 16–18; Josh. 24: 19.

67 See Exod. 2: 24; 32: 13; Deut. 4: 31.

68 Cf. 1 Kings 11: 9–13; see also Isa. 7: 9.

69 1 Kings 11: 36; 15: 4; 2 Kings 8: 19.

70 See 2 Kings 21: 10–15; 24: 20; 25: 7; Ps. 89: 39–52 (38–51).

71 See 1 Kings 2: 3–4; 9: 4–5. Cf. Barend (Bob) Wielenga, *Verbond en zending: Een verbondsmatige benadering van zending* [Covenant and mission: A covenantal approach to mission] (Kampen: Mondiss, 1999). Chapter 3 of this doctoral thesis consists of an interesting biblical-theological orientation in the covenants of the Old Testament. See also Gert Kwakkel, "The Conditional Dynastic Promise in 1 Kings 2:4," in *Reading and Listening: Meeting One God in Many Texts: Festschrift for Eric Peels on the Occasion of his 25th Jubilee as Professor of Old Testament Studies*, ed. Jaap Dekker and Gert Kwakkel, ACEBTSup 16 (Bergambacht: zVM, 2018), 79–87.

of the people⁷² but also the failure of the Davidic kings as its background.⁷³ For this reason it is helpful not only to distinguish the Davidic covenant from the Sinai covenant but also, more clearly than De Jong has done, from the new covenant.

It is because De Jong considers the content of the Davidic covenant as Messianic from the beginning that he practically identifies it with the new covenant. When, however, the Messianic interpretation of the Davidic covenant has grown gradually and in view of the increasing failure of the Davidic dynasty,⁷⁴ the Davidic covenant appears to function as a connection between the Sinai covenant and the promise of a new covenant.⁷⁵ With regard to the Sinai covenant, the Davidic covenant was meant to strengthen it by a lasting kingship which was privileged with a special relationship with Israel's God. With regard to the promise of a new covenant, the everlasting character and Messianic potential of the Davidic covenant was able to give it a sure foundation.⁷⁶

These last remarks concerning the relationship between the covenants need further elaboration with regard to the understanding of Isaiah 55: 3b–5. Because the “mercies for David” are explicitly called “sure” or “steadfast” (הַנֶּאֱמָנִים), it is far too superficial an interpretation of this text to explain this as a democratization of the Davidic covenant. Besides, within the Old Testament the center of the Davidic covenant has become the promise that David would have a son on his royal throne in Jerusalem at all times and that his kingdom thus would stand forever.⁷⁷ The oracle of Isaiah 55: 3b–5, however, does not echo this dynastic promise, but instead focuses on David being made a witness

72 Cf. Jer. 11: 1–8; 31: 32.

73 Wielenga, *Verbond en zending*, 101–2; Wielenga, “Oud en Nieuw Verbond,” 339.

74 The Nathan oracle of 2 Sam. 7 does not yet announce the coming of a Messiah directly. However, its climactic emphasis on the eternal character of the Davidic throne, even when David's offspring commits iniquity, deliberately leaves an openness to the future. When the prophets of the eighth century BCE criticized the house of David for its iniquities and announced the coming judgement, this openness of the Nathan oracle resulted in the rise of Messianic expectations such as those in Isa. 9: 5–6 and 11: 1–10. See Wolter H. Rose, “Messianic Expectations in the Old Testament,” *In die Skriflig* 35 (2001): 275–88.

75 Cf. Jan Veenhof, “Als het werk van de Geest zich ontvouwt: In gesprek met Henk de Jong over het verbond van oud naar nieuw” [When the Spirit develops his work: In conversation with Henk de Jong about the covenant from old to new], in *Verrassend vertrouwd*, ed. Bouma, Gerkema, and Mudde, 143.

76 Referring to the principle of divine sonship, alluded to in Deuteronomy with regard to Israel (Deut. 1: 31; 8: 5; 32: 6, 18–20) and so prominent in the Davidic covenant traditions, Scott W. Hahn argues that the Davidic covenant “serves as a canonical link between the Deuteronomic covenant and the New Covenant, especially in the later prophets (Jer 33:19–26; Ezek 34:23–31; 37:24–25).” *Kinship by Covenant*, 91.

77 2 Sam. 7: 12–16; Ps. 89: 4–5(3–40), 29–38(28–37).

to the nations acting as a leader and commander for the peoples.⁷⁸ Supposing, therefore, a transfer of the Davidic covenant to the people, robbing it of its original sense,⁷⁹ does not make sense, for the center of this covenant is not even mentioned or alluded to. For these reasons the increasing number of exegetes who oppose to the consensus view appears to be right.⁸⁰

Instead of speaking of democratization or transfer, Knut Heim prefers to speak of an extension of the Davidic covenant. He argues that if the Davidic promise really had been modified, this would have needed a more detailed explanation. According to Heim, the Davidic promise “remains essentially the same” and verse 4a even “amounts to the restoration of the Davidic covenant,” thus answering the open question of Psalms 89.⁸¹ However, just like speaking of a democratization or transfer, speaking of an extension of the Davidic covenant does not account for the fact that this covenant has always been for the benefit of the people of Israel as a whole. Psalms 78: 70–72 makes the important observation that YHWH, bringing his history with Israel thus far to a climax, had chosen his servant David “to be the shepherd of Jacob, of Israel, his inheritance.” As a result of the representing function of David within God’s

78 Cf. Richard J. Clifford, “Isaiah 55: Invitation to a Feast,” in *The Word of the Lord Shall Go Forth: Essays in Honor of David Noel Freedman*, ed. Carol L. Meyers, M. O’Connor (Winona Lake: Eisenbrauns, 1983), 32.

79 Cf., e.g., Rolf Rendtorff, *Theologie des Alten Testaments: Ein kanonischer Entwurf*, vol. 2 (Neukirchen: Neukirchener Verlag, 2001), 259. Rendtorff even argues that God himself has ended his covenant with David.

80 Cf. Antti Laato: “There is no reason to suppose that the religious circle behind Isa 40–55, which certainly knew of the high messianic hopes which prevailed among the people attempted to convince the people that they and they alone were the inheritors of every promise hitherto given to the dynasty of David.” *The Servant of YHWH and Cyrus: A Reinterpretation of the Exilic Messianic Programme in Isaiah 40–55* (Stockholm: Almqvist & Wiksell, 1992), 244–45. See also Ronald E. Clements, “The Davidic Covenant in the Isaiah Tradition,” in *Covenant as Context: Essays in Honour of Ernest W. Nicholson*, ed. A.D.H. Mays and R.B. Salters (Oxford: Oxford University Press, 2003), 39–69. Joseph Blenkinsopp notes that “it is difficult to understand why this analogy (with the promise to David, *JD*) would be used if the author was not persuaded of the permanence of Yahveh’s commitment to David and the dynasty.” He suggests that “sound political reasons for not speaking out in favour of the native dynasty” may have been in the author’s mind. *Isaiah 40–55*, AB 19A (New York: Doubleday, 2002), 370.

81 Knut M. Heim, “The (God-)Forsaken King of Psalm 89: A Historical and Intertextual Enquiry,” in *King and Messiah in Israel and the Ancient Near East: Proceedings of the Oxford Old Testament Seminar*, ed. John Day (Sheffield: Sheffield Academic Press, 1998), 309, 311–14.

dealings with Israel,⁸² the covenant with David serves the interests of the people of Israel as a whole.⁸³

From a biblical-theological perspective it can even be argued that the covenant with David was ultimately destined to be for the benefit of all of humanity.⁸⁴ This is clearly expressed, for example, in Psalms 72: 17 where the original Abrahamic promise to be a blessing to the nations is connected with the Davidic king: “May all nations be blessed in him; may they pronounce him happy.” Perhaps this same idea is even explicitly stated in 2 Samuel 7: 19 where David defines the just received and future orientated promises for his house as “the instruction for humanity” (תּוֹרַת הָאָדָם). Walter Kaiser has drawn attention to the importance of this “puzzling but promising clause” by calling the blessing of David “the charter for humanity.”⁸⁵ As already described, Peter Gentry elaborates on this a bit further by understanding the Davidic king as “the instrument of bringing Yahweh’s Torah to all the nations” and directly connects this with the Isaianic Servant of YHWH who will bring justice to the nations.⁸⁶ The expression תּוֹרַת הָאָדָם, however, is far too general to be filled in with such precision as Gentry argues for. Nevertheless, though the clause in question does not explicate what exactly is meant, this unique expression in one way or another seems to allude to the potential significance of the Davidic covenant for humanity as a whole.⁸⁷

Elaborating on the supposed benefit of the Davidic covenant for the people of Israel, I agree with De Jong that the message of Isaiah 55: 3 can be meaningfully interpreted as a Davidic reinforcement of the covenant with Israel,⁸⁸

82 See the previous description of the hour glass model of Henk de Jong, in which every stage of concentration at the same time functions as a representation.

83 Cf., e.g., 2 Sam. 7: 9 with Gen. 12: 2.

84 Cf. Thomas R. Schreiner, *The King in his Beauty: A Biblical Theology of the Old and New Testaments* (Grand Rapids: Baker, 2013), 157. Referring to 2 Sam. 7: 9–16, Schreiner states: “The Davidic covenant represents an expansion of the covenant with Abraham. The Lord will bring universal blessing to the world through the offspring of Abraham. Now it is clear that this universal blessing will also become a reality through the offspring of David.”

85 Walter C. Kaiser, “The Blessing of David: The Charter for Humanity,” in *The Law and the Prophets: Old Testament Studies Prepared in Honor of Oswald Thompson Allis*, ed. John H. Skilton (Nutley: Presbyterian & Reformed, 1974), 298–318.

86 Gentry, “Rethinking,” 287–88, 294–97. Gentry refers to Isa. 42: 1–4; 49: 1–6.

87 It is not necessary to suppose that David not only had a conscious awareness of the universal implications of the promise, but also of the Messianic implications of it, as Kaiser suggests. “The Blessing of David,” 316.

88 Though the Sinai covenant is nowhere mentioned explicitly in the book of Isaiah – in spite of the extensive use of the motifs of the exodus and the wilderness journey, – it comes to the fore under several metaphors: rebellious children of YHWH (Isa. 1: 2, 4; 30: 1, 9; cf. 63: 8), sons (and daughters!) of YHWH (Isa. 43: 6; 45: 11), vineyard of YHWH (Isa. 5: 1–7; 27: 2–6), and marriage (Isa. 54). Also when Israel is called “my people” (Isa. 1: 3, 3; 12, 15

rather than a democratization, transfer or extension of the Davidic covenant. The steadfast or sure mercies for David thus function as the source from which the covenant made for the servants receives the character of an everlasting covenant.⁸⁹ This everlasting covenant is nothing less than the now ‘upgraded’ version of the covenant with Israel receiving its sure foundation and guaranteed duration from the Davidic covenant.⁹⁰ Speaking of a Davidic reinforcement of the covenant with Israel presupposes that the Davidic covenant itself retains its original significance,⁹¹ just as the covenant with Noah retains its significance when the everlasting mercy of YHWH, which is characteristic of this covenant, is appealed to in Isaiah 54: 8–10 to proclaim the persistent character of the covenant of peace.⁹²

9 Witness to the Peoples

Contrary to the straightforward Messianic interpretation of Gentry, it is not obvious that Isaiah 55: 3 alludes to the death and supposed resurrection of the Servant of YHWH from Isaiah 53.⁹³ Firstly, I already argued for understanding הַנְּאֻמִּים הַזֶּה as an objective genitive. Secondly, Gentry far too confidently

etc.), “my heritage” (Isa. 19: 25; 47: 6; cf. 63: 17), or “servant of YHWH” (Isa. 41: 8, 9 etc.), this supposes the reality of an existing covenantal relationship.

89 David L. Baker, *Two Testaments, One Bible: The Theological Relationship Between the Old and New Testaments*, 3rd ed. (Downers Grove: InterVarsity, 2010), 256. Baker describes the Davidic covenant as becoming here “the prototype for an ‘everlasting covenant.’”

90 Bernhard W. Anderson draws attention to the remarkable fact that Second Isaiah, in contrast to his predecessors Hosea and Jeremiah, does not announce “hope for the future on the basis of the Mosaic covenant with its emphasis upon human obligation”: “the new wine of the gospel could not be contained adequately in the old wineskin of the Mosaic covenant but was best suited to the theology of the everlasting covenant.” “Exodus and Covenant in Second Isaiah and Prophetic Tradition,” in *Magnalia Dei: The Mighty Acts of God: Essays on the Bible and Archaeology in Memory of G. Ernest Wright*, ed. Frank M. Cross et al. (Garden City: Doubleday, 1976), 339–60 (quotations from pages 348 and 357).

91 Cf. Benjamin D. Sommer, *A Prophet Reads Scripture: Allusion in Isaiah 40–66*, Contraversions Series (Stanford: Stanford University Press, 1998), 119. Sommer asserts: “Deutero-Isaiah avoids nullifying the promises to David as they had appeared in the Psalms and the prophecies of Isaiah ben Amos by reinventing them as a promise to the nation as a whole.” When, however, he suggests that Deutero-Isaiah answered the question “What does one do when a sacred text proved wrong?” (154), this contradicts the explicit characterization of the הַנְּאֻמִּים הַזֶּה as הַנְּאֻמִּים הַזֶּה. Isa. 55: 3 neither explicitly nor implicitly nullifies the Davidic promises.

92 Cf. the allusion to the covenant with Noah in Jer. 33: 20–21.

93 The meaning of the quotation of Isa. 55: 3b within the argument of Acts 13: 34 needs to be studied separately. This is beyond the scope of this article, which investigates the meaning of Isa. 55: 3b within its Old Testament context.

states that the use of the name David in Isaiah “shows that a future descendant is uppermost in the author’s thought.”⁹⁴ Expressions like “house of David” in Isaiah 7: 2, 13; 22: 22, “tent of David” in Isaiah 16: 5, and “throne of David” in Isaiah 9: 5 cannot bear this evidence. Thirdly, the book of Isaiah does not identify the suffering Servant with the expected Davidic king from the first part of the book.⁹⁵ In the second part of the book it is the Persian king Cyrus who is clearly identified as the anointed of YHWH,⁹⁶ leaving no room to nourish at the same time explicit Davidic expectations among the exiles. It is only in the third part of the book that another anointed of YHWH presents himself, one who seems to bear characteristics from both the expected Davidic king and the Servant of YHWH.⁹⁷ Finally, it looks like a piece of special pleading to neglect the evident syntactic difference between the *qatal*-phrase of Isaiah 55: 4 (הָיָה עֹד לְאוֹמִים נְתַתִּיו) and the *yiqtol*-phrase of Isaiah 55: 5 (הָיָה גֹי לְאֶתְדַע תִּקְרָא), and to understand the *qatal*-phrase as referring to a future role of an expected Davidic king.⁹⁸

The *qatal*-phrase of Isaiah 55: 4 has to be understood as an elaboration of the previously mentioned “sure mercies for David.” David was destined by YHWH to be a witness to the peoples by being their leader and commander. Thus referring to the Davidic covenant, this oracle does not mention its most central promise, namely that David would have a son on his royal throne in Jerusalem at all times and that his kingdom thus would stand forever.⁹⁹ Instead, the oracle of Isaiah 55: 3b–5 alludes to another aspect of this covenant, namely David’s rule over the nations.

In this regard special attention has to be given to the climactic ending of Psalms 18.¹⁰⁰ In Psalms 18: 51(50) the הָיָה YHWH shows to David and his descendants, a clear reference to the Davidic covenant, is parallelized with an explicit mention of the great triumphs YHWH has given to his king. The Davidic rule over the nations, alluded to in Isaiah 55: 4 by calling David a leader and commander of the peoples, appears to be an inherent aspect of the Old Testament understanding of the Davidic covenant. That David was also destined by YHWH to be a witness to the peoples has no equivalent in other texts. In Psalms 18: 50(49), however, the Davidic king shows his willingness to

94 Gentry, “Rethinking,” 293.

95 Isa. 9: 5–6; 11: 1–10.

96 Isa. 45: 1.

97 Isa. 61: 1–3.

98 Gentry, “Rethinking,” 292.

99 2 Sam. 7: 12–16; Ps. 89: 4–5(3–4), 25–26(24–25), 29–38(28–37).

100 Cf. Beuken, “Isa. 55:3–5,” 62–63. Beuken has rightly drawn attention to the importance of Ps. 18 for understanding Isa. 55: 3–5.

express his thanksgivings and praises to YHWH among the nations. This statement, then, is indissolubly connected to the concluding reference to David's triumphs and the דָּבָר of YHWH. Making David a witness to the peoples is also closely tied to his rule over them in Isaiah 55: 4. The use of the designation "witness" (עֵד) in the Isaianic context probably relates to the vocation of servant Israel to be a witness in the lawsuit of YHWH against the idols of the nations, which is emphasized in the second part of the book.¹⁰¹

Just as the *qatal*-phrase of Isaiah 55: 4 has to be understood as an elaboration of the previously mentioned "sure mercies for David," the *yiqtol*-phrase of Isaiah 55: 5 may be understood as an elaboration of the "everlasting covenant." The Davidic reinforcement of the covenant with Israel guarantees that Israel finally will be able to exercise its witnessing role among the nations. Admittedly, the designation "witness" (עֵד) is not repeated in verse 5 with regard to Israel, but the deliberate parallelism of David and the addressed people by way of elaborating on the announced everlasting covenant indicates that the content of verse 5 has to be understood under the rubric of becoming a witness to the peoples.¹⁰² In this way YHWH will glorify Israel.¹⁰³ Nations that Israel did not know before will come to it, just as the nations had previously come to David, as is explicitly stated in Psalms 18: 44–46 (43–45), the Psalm which is so important for understanding the aspects of the Davidic covenant referred to in Isaiah 55: 4–5.¹⁰⁴

10 Conclusion

In conclusion, it can be stated that the book of Isaiah clearly differs from the other prophetic books with regard to the concept of the new covenant and the way the Davidic covenant is related to it. It is not six of one and half a dozen of the other. When Jeremiah proclaims the making of a new covenant,¹⁰⁵ his

¹⁰¹ Isa. 43: 10, 12; 44: 8; cf. 43: 9; 44: 9.

¹⁰² The clause עֵד לְאִיִּים "witness to the peoples" (Isa. 55: 4) may be compared with בְּרִית עַם "covenant to the people" and אוֹר גּוֹיִם "light to the nations" in Isa. 42: 6, expressions both describing the mission of Israel as servant of YHWH, which will be realized by a prophetic servant representing Israel (Isa. 49: 6, 8).

¹⁰³ See Stromberg, "The Second Temple," 242–55, for a thorough analysis of the reuse of Isa. 55: 5b with regard to Zion and its temple in Isa. 60: 9b.

¹⁰⁴ Cf. Stromberg: "In Isa 55,5a the people's future role parallels that given to David in Ps 18,44, a fact that reinforces the intended parallel between Israel in Isa 55,5 and David in 55,4." "The Second Temple," 243.

¹⁰⁵ Jer. 31: 31–34; cf. 32: 40; 50: 5.

implicit framework clearly is the ancient Mosaic covenant.¹⁰⁶ As part of a new future, the book of Jeremiah also announces the springing up of a righteous shoot (נִצָּח) for David, as an explicit fulfillment of the Davidic covenant,¹⁰⁷ but this promise, though alluded to in the context of the Book of Comfort,¹⁰⁸ is not as closely connected to the promise of a new covenant as it is in the book of Ezekiel.¹⁰⁹

With regard to the book of Isaiah, however, oracles concerning a new Davidic king occur only in the first part of the book. When, for the first time, something like a new covenant is proclaimed, the explicit framework is the Noahic and Davidic covenants.¹¹⁰ Instead of repeating, however, the ancient promise of a future Davidic king, the Davidic covenant is referred to in order to reinforce the covenant with the people of Israel, especially focusing on the status of Israel as a witness among the nations. This may not be interpreted as a democratization or transfer of the Davidic covenant, for the continuing importance of this covenant is presupposed. The book of Isaiah uses the reference to the Davidic covenant to provide a sure foundation for the message of a new covenant and to emphasize its everlasting character. From a biblical-theological and canonical perspective, the Davidic covenant may be understood – as Henk de Jong has persuasively argued – as “a covenant within a covenant,” meant to anchor and to reinforce the Sinai covenant. In this way, however, the Davidic covenant could function at the same time as the sure foundation for the proclamation of a new covenant, thus guaranteeing the everlasting character of the covenantal relationship between YHWH and Israel and ultimately making Israel itself a witness to the peoples, for the benefit of humanity.

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107 Jer. 33: 14–26; cf. 23: 5–6.

108 Jer. 30–31; see 30: 9, 21.

109 Ezek. 34: 23–31; 37: 24–28. The Davidic promises of Jer. 33: 14–26 are even missing in the Septuagint, thus generating discussion about their authenticity in the book. See Hetty Lalleman-De Winkel, *Jeremiah in Prophetic Tradition: An Examination of the Book of Jeremiah in the Light of Israel's Prophetic Traditions*, CBET 26 (Leuven: Peeters, 2000), 175–77, 204–8.

110 Isa. 54: 10; 55: 3.

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The New Covenant in the Context of the Book of Jeremiah

Mart-Jan Paul

1 Introduction

Amidst many condemnations and warnings, the prophet Jeremiah announces a new covenant (31: 31–34). This new covenant fulfills an important role in the New Testament and in Christian theology. The purpose of this article is to establish what this passage means within the context of the book of Jeremiah and from that basis look at how the new covenant has been handled within theological circles.

This article begins with a discussion of the structure of the book of Jeremiah (section 2), of chapters 30–33 (section 3) and of 31: 31–34 (section 4). After this, the meaning of the word ‘covenant’ will be dealt with (section 5). Five aspects of the new covenant will then be addressed: the recipients (section 6), the law in the hearts (section 7), the knowledge of YHWH (section 8), forgiveness (section 9), and the future (section 10). We move on to a discussion of the new perspective of the covenant (section 11) and address particular issues in the relationship between exegesis and systematic theology (section 12).

2 The Structure of the Book of Jeremiah

It is not easy to detect a clear structure in Jeremiah. The completed book consists of several documents from the hand of the scribe Baruch (36: 4, 32). Jeremiah himself also had a hand in the writing process (30: 2; 51: 60). The book itself witnesses to collections of materials, and Lundbom describes it as a “book of books.”¹ Several factors contribute to the difficulty in understanding the structure, such as the lack of chronological ordering, the reference to various scrolls, and the switch between literary genres. The order of the

¹ Jack R. Lundbom, *Jeremiah 1–20*, AB 21A (New York: Doubleday, 1999), 100. This article concentrates on the Masoretic version of the Hebrew text, not on diachronic analysis, as Hermann-Josef Stipp does in his commentary *Jeremia 25–52*, HAT 12.2 (Tübingen: Mohr Siebeck, 2019).

chapters in the Masoretic tradition differs from the Septuagint.² This situation brought Thompson to the conclusion that: “We have to confess that the plan employed by the editors finally escapes us.”³ However, Childs points to theological aspects in the canonical shape of the book, such as the examples of an eschatological hope. The element of salvation appeared right at the outset of Jeremiah’s ministry and was assigned a programmatic function within his call. His prophetic commission was both “to destroy and overthrow, to build and plant” (1: 10). This theme of a dual role continues throughout the book (18: 7–9; 24: 6; 31: 28; 42: 10; 45: 4). “The prophetic book bears witness to the belief that, regardless of the severity of the divine judgment on Israel, the ultimate goal in the divine economy was redemption.”⁴

Murphy elaborated this approach. He describes the book as a message for the exiles. “The promises of restoration provided hope for the exiles because those promises were made by the same God who had brought about the judgments.”⁵ This author considers chapters 1 and 52 of the Masoretic Text to be “entry and exit points” or “bookends” that hold the work together, forming a frame by their reference to the purpose and message of Jeremiah’s ministry as stated in 1: 9–10 (with the dual themes of judgment and hope or destruction and restoration) and thereby providing an interpretive lens through which to understand the larger collections of material. This leads him to propose the following structure of the final form of Jeremiah:

- I. Introduction: The ministry and message of the prophet Jeremiah are sourced in YHWH and deal with the declaration of judgment and restoration (chap. 1).
- II. The recurring declarations of certain judgment on Judah/Jerusalem for her covenant infidelity against YHWH contain glimpses of future restoration following the Exile (chaps. 2–25).

2 The Greek version is about one seventh shorter than the Hebrew text. The materials are ordered differently. The oracles against the nations in 46–51 MT are placed after 25: 13 LXX. Fischer argues for the priority of MT; Georg Fischer, “Die Diskussion um den Jeremiatext,” in *Die Septuaginta – Texte, Kontexte, Lebenswelten*, ed. Martin Karrer and Wolfgang Kraus, WUNT 219 (Tübingen: Mohr Siebeck, 2008), 612–29. Stipp defends the priority of LXX; Hermann-Josef Stipp, “Zur aktuellen Diskussion um das Verhältnis der Textformen des Jeremiabuches,” in the same volume, 630–53. De Waard argues for the priority of LXX; Henk de Waard, *Jeremiah 52 in the Context of the Book of Jeremiah*, VTSup 183 (Leiden: Brill, 2020). For details in the texts, see William McKane, *Jeremiah 26–52*, ICC (Edinburgh: T&T Clark, 1996).

3 J.A. Thompson, *The Book of Jeremiah*, NICOT (Eerdmans: Grand Rapids, 1980), 31.

4 Brevard S. Childs, *Introduction to the Old Testament as Scripture* (London: SCM, 1979), 351.

5 S. Jonathan Murphy, “The Quest for the Structure of the Book of Jeremiah,” *Bibliotheca Sacra* 166 (2009): 315.

- III. The recurring declarations of certain restoration for Judah/Jerusalem, based on YHWH's covenant fidelity, include reminders of the reality of oncoming judgment (chaps. 26–35).
- IV. The realization of the judgment on Judah/Jerusalem in the siege and fall of the city and deliverance of a remnant anticipates future restoration (chaps. 36–45).
- V. The declarations of judgment against foreign nations for their wickedness against YHWH include glimpses of future restoration (chaps. 46–51).
- VI. Conclusion: The ministry and message of Jeremiah are vindicated through the description of the judgment of Jerusalem and the anticipation of restoration in the release of Jehoiachin (chap. 52).⁶

According to this outline, the anthology has been carefully structured to present a recurring theological message of judgment and hope for restoration, which Murphy summarizes in a structural-theological message in one sentence: “The declared *and* realized judgment of Yahweh on his covenant people Judah and the nations because of sin encourages the exiles to hope, amid their misery, in the fulfillment of his promises of restoration.”⁷ Thus, the fulfillment of the tragedies Jeremiah had predicted demonstrate both God's trustworthiness and his involvement in the events. The message of hope about the future of God's people was as certain as the once foretold – but now realized – tragedies of their past.

Other structural arrangements are also possible, but what is important is the coherence of the different sections and their messages.⁸ This means that the message of hope in chapters 30–33 is not an isolated one, but that here the hope is more clearly expressed than in other chapters.

3 The Structure of Jeremiah 30–33

The clearest messages of hope are in Jeremiah 30–33. The first two chapters are known as the Book of Consolation or the Book of Restoration,⁹ although

6 Murphy, “The Quest,” 316–17.

7 Murphy, “The Quest,” 317.

8 Lalleman takes the chapters 23–29 together, dealing with the theme true and false prophecy; Hetty Lalleman, *Jeremiah and Lamentations*, TOTC 21 (Downers Grove: IVP Academic, 2013), 63–68. For another proposal, see Eric Peels, “Jeremiah, Prophet of Ultimate Ruin and New Hope,” in *The Lion has Roared: Theological Themes in the Prophetic Literature of the Old Testament*, ed. H.G.L. Peels and S.D. Snyman, (Eugene: Pickwick, 2012), 96–118 (100).

9 Werner H. Schmidt, *Das Buch Jeremia: Kapitel 21–52*, ATD 21 (Göttingen: Vandenhoeck & Ruprecht, 2013), 105–51; Bob Becking, *Between Fear and Freedom: Essays on the Interpretation of Jeremiah 30–31*, OtSt 51 (Leiden: Brill, 2004).

the expressions are also used for all four chapters. Chapters 30–31 are largely poetry, whereas chapters 32–33 are written in prose. Considering the nature of the book of Jeremiah, this juxtaposition of various literary types should not be surprising. The poetic section expresses a future hope for YHWH's people in their restoration from exile and as recipients of the new covenant (30: 4–31: 40). The text then turns to the confinement of Jeremiah by Zedekiah and to God's instruction for Jeremiah to purchase a field (chap. 32). Rather than viewing this as an illogical literary leap, the text is arranged to present the same message from another angle. Jeremiah's purchase of real estate at a time of captivity emphasizes the prospect of future restoration for the nation – the land will be reclaimed. This is also the message of chapter 33: the restoration of exiled Israel is a consequence of the eternal covenant (as mentioned in 32: 40). This cycle of poems and prose narratives are held together by the “restoration of fortunes”¹⁰ and the hope for community and land restoration. This unity of Jeremiah 30–33 is confirmed by Rata's close reading of Jeremiah 31: 27–40, 32: 36–44 and 33: 14–26¹¹ through a text linguistic analysis (discourse analysis). He concludes that “the repetitive and sequential pattern of word clusters, key words, motifs, and formulas points to a coherent textual unity.”¹²

Recognizing some compositional unity of Jeremiah 30–33 and the more distinct unit of chapters 30–31, it is important to identify the function of 31: 31–34 within both this smaller unit and within chapters 31–34 as a whole. Bozak, in her literary-theological study of Jeremiah, divides the unit of Jeremiah 30–31 into six poems, with boundaries marked by the recurrent “for thus says YHWH” formula (30: 5–11; 30: 12–17; 30: 18–31: 1; 31: 2–6; 31: 7–14; 31: 15–22). A prose introduction (30: 1–4) and a double prose conclusion (31: 23–34, 35–40) frame the cycle.¹³ The whole context connects the new covenant strophe with a literal restoration of the Jewish nation (Jer. 31: 23, 28, 38–40).

Now, the remaining question is how 31: 31–34 functions in that literary structure, especially in relation to the surrounding verses. Bozak recognizes this pericope to be part of the literary unit of 31: 23–40. In this concluding unit, Keown et al. identify a concentric chiastic structure of five oracles, with the

10 Note the recurrence of this phrase in Jer. 30: 3, 18; 31: 23; 32: 44; 33: 7, 11, 26. Cf. 29: 14.

11 Jer. 33: 14–26 is the longest passage of Jeremiah missing in LXX.

12 Tiberius Rata, *The Covenant Motif in Jeremiah's Book of Comfort: Textual and Intertextual Studies of Jeremiah 30–33*, Studies in Biblical Literature 105 (New York: Lang, 2007), 69.

13 Barbara A. Bozak, *Life 'Anew': A Literary-Theological Study of Jer. 30–31*, AnBib 122 (Rome: Biblical Institute Press, 1991). A comparable structure in Jer. 30–31 has been identified by Charles A. Briggs, *Messianic Prophecy: The Prediction of the Fulfilment of Redemption through the Messiah; a Critical Study of the Messianic Passages of the Old Testament in the Order of Their Development* (Edinburgh: T&T Clark, 1886), 247–55. Fischer concurs with Bozak; Georg Fischer, *Jeremia 26–52*, HThKAT (Freiburg im Bressgau: Herder, 2005), 121.

promise of the new covenant (vv. 31–34) at the centre, the first (vv. 23–26) and fifth (vv. 38–40) oracles being about the restoration of Judah and Jerusalem, and the second (vv. 27–30) and fourth (vv. 35–37) forming a contrasting pair. Regarding that contrasting pair and in relation to the new covenant, Keown et al. assert that “the responsibility of each person for sin contrasts with God’s enduring commitment to the survival of Israel as a nation. The logical tension between these two affirmations will be resolved by the initiation of the new covenant, which includes forgiveness of sin (v. 34) and transformation of the human party to the relationship (v. 32).”¹⁴ Here we get a glimpse of the function and significance of the new covenant in relation to the promise of restoration.

4 **Jeremiah 31: 31–34**

The promise about the new covenant consists of four verses: “31) See, the days are coming – oracle of YHWH – when I will make with the house of Israel and with the house of Judah a new covenant, 32) not like the covenant that I made with their fathers in the day I took them by the hand to bring them out from the land of Egypt, my covenant that they broke, though I was their master (or: husband) – oracle of YHWH. 33) But (or: Truly) this is the covenant that I will make with the house of Israel after those days – oracle of YHWH: I will put my law in their inward parts,¹⁵ and upon their hearts I will write it. And I will be God to them, and they will be a people to me. 34) And they shall not again instruct each person his fellow and each person his brother, saying, ‘Know YHWH,’ for they, all of them, shall know me, from the least of them to the greatest of them – oracle of YHWH – for I will forgive their iniquity, and their sin I will not remember again.”¹⁶

The text is a separate unit, delimited by two *setumah*’s in the Hebrew text. The special status of the declaration is underscored by four “oracle of YHWH” formulas.¹⁷ The first oracle states what the new covenant will not be (vv. 31–32), the second oracle what it will be (vv. 33–34). In the first oracle reference is made to the covenant at Sinai (Exod. 19–24). However, this covenant is broken. In the future a new covenant will be made with the house of Israel and the house of Judah. Four promises are made:

14 Gerald L. Keown et al., *Jeremiah 26–52*, WBC 27 (Dallas: Word, 1995), 126–27.

15 LXX “in their mind” (διάνοιαν).

16 Author’s translation.

17 MT 31: 31–34 = LXX 38: 31–34. LXX has only three formulas (not in v. 34).

- 1) God's תּוֹרָה will be in the Israelites.
- 2) The covenant formula: I will be their God; they will be my people.
- 3) All the Israelites shall know YHWH.
- 4) Forgiveness of sins.

In the next paragraphs important aspects of these promises are discussed.

5 Covenant

The promise in 31: 31–34 is about a “a new covenant (בְּרִית הַדְּשָׁה) with the house of Israel and the house of Judah.” This covenant “will not be like the covenant” that God made when he led their forefathers out of Egypt. This earlier covenant was made with Israel at Mount Sinai (Exod. 24). There is some debate about the exact character and definition of the Hebrew term בְּרִית, which is usually translated as “covenant”.¹⁸ In the Old Testament several covenants between God and men are mentioned: with Noah, Abram, Israel, Levi, Phinehas and David. Many more times, God gave promises to people, but only in a few cases did he confirm these promises with a covenant. In the first chapters of Genesis, the word בְּרִית is not used.¹⁹ The relationship between God and mankind was determined at creation by other means: the Creator interacted with his creatures. Later people “walked with God” (Gen. 5: 22). In Genesis, the first mention of a covenant is in relation to Noah (6: 18; 9: 9–17). Abram’s call preceded the two covenants that were made with him in Genesis 15 and 17.²⁰ David, too, was already God’s chosen king before a covenant was made with him (2 Sam. 7; Ps. 89: 4[3]). Therefore, we can characterize a covenant as an official agreement to seal a relationship between certain parties.²¹

18 Cf. Ernst Kautsch, “בְּרִית,” in *THAT*, 1:339–52 (interpreted as “Verpflichtung”), and J. Gordon McConville, “בְּרִית,” in *NIDOTTE*, 1:747–55. For covenant in the historical context of the Ancient Near East, see the contribution of Koert van Bekkum in this volume.

19 Cf. the contribution of Hans Burger in this volume.

20 Cf. Gert Kwakkel, “Verplichting of relatie: Verbonden in Genesis; Henk de Jong en zijn visie op het verbond” [Obligation or relation: Covenants in Genesis; Henk de Jong and his view of the covenant], in *Verrassend vertrouwd: Een halve eeuw verkondiging en theologie van Henk de Jong* [Surprisingly familiar: Half a century of preaching and theology by Henk de Jong], ed. Jan Bouma, Freddy Gerkema, and Jan Mudde (Franeker: Van Wijnen, 2009), 117–30.

21 See Paul R. Williamson, *Sealed with an Oath: Covenant in God’s Unfolding Purpose*, NSBT 23 (Downers Grove: InterVarsity, 2007), 57, 75–76; John Goldingay, *Old Testament Theology*, vol. 2, *Israel’s Faith* (Downers Grove: IVP Academic, 2006), 182–87; Peter J. Gentry and Stephen J. Wellum, *Kingdom Through Covenant: A Biblical-Theological Understanding of*

This description is important, because it follows that the relationship between YHWH and his people involves more than just the aforementioned covenants.

Now we can look at the relation between the covenants. YHWH chose Abraham and his descendants. In the covenant that he made with Abraham, the emphasis is on the unconditional character of God's promises (Gen. 15) and in Genesis 17 the obligations of the patriarch are mentioned. Later on, God made a covenant with Israel.²² The covenant with Israel in Exodus (Exod. 24 and the renewal in Exod. 34) and the elaboration in Deuteronomy did not replace the promises to the patriarchs but contributed to their realisation.²³ As such, the Mosaic covenants are an elaboration of the Abrahamic covenant.

The Mosaic covenant in Exodus 24 emphasizes strongly the need for obedience by the Israelites. The consequence is that because of the sin of the Golden Calf, the covenant is broken (Exod. 32:19). However, after punishment, renewal is possible. The fact that Israel, the human partner, is the one who broke the covenant, does not mean that God abolishes the relation.

The sanctions against breaking of covenants comes to the fore in the texts concerning the covenant curses (Lev. 26 and Deut. 28). Despite the warnings, in these books God's unconditional faithfulness is mentioned. Even in the context of exile, YHWH does not entirely reject the Israelites. He remembers the earlier covenant with their forefathers (Lev. 26: 44–45).

In Deuteronomy 30: 1–10 a new future for the Israelites is referred to, after the implementation of the covenant curses (see also 4: 30–31). When the Israelites, having been punished, repent and turn back to their God, he will effect a complete renewal: 1) circumcision of their hearts, so that they shall worship their God with devoted hearts (30: 6); 2) listening to his voice and obedience to his commandments (30: 8,10). In the earlier situation these points were conditions (see 10: 12–16), but now they are promised. The new situation is better than the old, because YHWH himself realises the obedience of the Israelites. Because of the repentance of the Israelites, the covenant blessings will return to the people. This new situation is presented as the realization of many earlier promises to the forefathers (Deut. 30: 9; 9: 5,27).

the Covenants (Wheaton: Crossway, 2012), 151–52; Gert Kwakkel, "Berith and Covenants," in this volume.

22 The order according to the canonical presentation. It is not possible here to discuss the origins of the traditions. See the commentaries on Genesis and Exodus.

23 Cf. Arie Versluis, "Covenant in Deuteronomy," in this volume.

What does this background mean for the covenant in the book of Jeremiah? The word ברית appears here twenty-three times. Jeremiah's preaching is firmly rooted in the theology of the Sinai covenant and of Deuteronomy.²⁴

It is clear that the covenant with the Israelites after the exodus out of the land of Egypt has been broken by the time of Jeremiah (Jer. 11: 8,10; 22: 9; 31: 32). This is not the earlier breaking of the covenant in the desert because that situation was reversed (Exod. 32–34), but this has happened because of recent incidents. This breaking of the covenant incurs a punishment, but the relationship is not ended as a result of this. YHWH maintains his promises even in the very midst of judgment and he promises a new covenant²⁵ with elements of the internalised obedience described in Deuteronomy 30. The basis of all covenants between God and Israel is God's desire to a close relationship, expressed in the words "I will be their God and they will be my people" (Jer. 7: 23; 11: 4; 24: 7; 30: 22; 31: 1,33).²⁶

The context of chapter 31 makes it clear that the relationship has been maintained and will continue. The direct consequence of the prophecy regarding the new covenant is that God will never turn his back on Israel as long as the cosmos exists (31: 35–37; cf. 33: 25–26). We can see here that 'covenant' is not just an obligation, but the gracious confirmation of an existing relationship. In addition, we see that a new covenant can incorporate the content of the old covenant as well as emphasize new elements.

6 Israel and Judah – as People and Nation

Many Christians consider the new covenant, quoted in the New Testament, as universal and addressed to all the nations on earth. However, in Jeremiah 31: 31, only the house of Israel and the house of Judah are mentioned. And in the next verse the broken covenant is mentioned, the covenant with Israel after the exodus out of Egypt. In verse 33 the promise of a new covenant is for "the house of Israel." The context shows that "all the families of Israel" can be seen as one unit

24 Walter Brueggemann, *The Theology of the Book of Jeremiah*, Old Testament Theology (Cambridge: Cambridge University Press, 2007), 10–27. He also mentions the relation with Hosea.

25 Peels, "Jeremiah," 114–15.

26 Goldingay writes: "Thus the making of a new covenant (Jer 31:31–34) need not imply that the previous covenant is already annulled, but that Yhwh recognizes the necessity to improve how the covenant works in order to achieve the aim of having a people that does keep its side of the relationship." John Goldingay, *Old Testament Theology*, vol. 1, *Israel's Gospel* (Downers Grove: IVP Academic, 2003), 378.

(v. 1). There are references to Ephraim (vv. 9,18,20), to Judah and all its cities (v. 24), to the house of Israel and the house of Judah (v. 27). The following texts about Jacob and Israel (vv. 36–37) and the restoration of Jerusalem (vv. 38–40) make the same point. See also the reunification in 3: 18. In Jeremiah 31, the new covenant is with Judah and Israel and not with all the nations.

The situation of Israel (Ephraim) in the time of the prophet is very difficult. Some time ago, a large part of the populace was exiled by the Assyrians (2 Kings 17). In the time of Jeremiah, Jerusalem and the temple were sacked and ruined, and a part of the people of Judah was in exile. In this very difficult situation the prophet promises a reunification of Israel and Judah, a spiritual renewal (v. 33), and a rebuilding of Jerusalem (v. 38).

Jeremiah speaks about a solution for the fundamental problem of Israel that God must punish his people for their transgressions (see also v. 30). The same people that are punished will also experience God's mercy and renewing activity. No other nations are mentioned, because the problem and the solution refer to the house of Israel.

Based on this view, we may assume that the people of Israel are apparently intended to remain a 'nation' before God and that somehow this is connected to the promise of the new covenant. It is important to understand the meaning of the Hebrew words underlying these terms (עַם underlying 'people' and גּוֹי 'nation') and how they are used in reference to Israel (e.g. in 31: 33,36). The term עַם is predominantly used to express the relational and unifying aspects of a group of people and used extensively to express the covenant relationship between God and his people. The term גּוֹי is used rather to refer to specifically defined political, ethnic or territorial groups of people without religious or moral connotation.²⁷ Block observes: "While *gôy* is often paired with *'am*, people, a warm, kinship term, the distinctly political nature of the former is reflected in its common pairing with *melek/mamlākâ*, king/kingdom."²⁸ These observations are significant in light of the literary context about restoration in the land. This would imply that the parallel reference to Israel to remain a גּוֹי before God in Jeremiah 31: 36 and 33: 24 reinforce the materiality of God's promise of future restoration. Based on the observations made so far, the literary context of 31: 31–34 appears to favour a holistic view: the people of Israel will experience an inner renewal, with a circumcision of the heart and a life according to God's תּוֹרָה. As a consequence of this, promises from earlier covenants are realised: return from the dispersion (31: 8,10,17,21),

27 E.A. Speiser, "'People' and 'Nation' of Israel," *Journal of Biblical Literature* 79 (1960):157–63.

28 Daniel I. Block, "Nations/Nationality," in *NIDOTTE* 4:966–72 (966). Hulst chooses a less obvious differentiation; A.R. Hulst, "גּוֹי/'am/gôj", in *THAT*, 2:290–325 (318).

possession of the land, the cultivation of the land and the rebuilding of Jerusalem (31: 5,24,38).²⁹

In certain passages in the book of Jeremiah, we can see that the future salvation is not limited to Israel, but that other peoples may also share in it, namely in 3: 17; 4: 2; 12: 15–16 and 16: 19.³⁰ In the book of Jeremiah, this situation is not linked to the covenant. The restoration of Israel is necessary for the achievement of that goal. In the promises made to Abraham, it was the intention that all peoples should be blessed through Abraham (Gen. 12: 3; 18: 18; 22: 18; 26: 4).³¹ In the book of the prophet Isaiah there are more indications that a new dispensation is coming in which believers from among all the peoples may take part (e.g. Isa. 2: 1–5; 56: 3–8; 66: 18–20). Jeremiah concentrates on the problems of the house of Israel and on the solution for this people and nation. Once that is realized, other peoples will be blessed. There are no clear indications that a covenant will be made with other peoples.

7 God's Torah in the Heart

One of the promises is: “I will put my law (תּוֹרָתִי) in their inward parts, and upon their hearts I will write it” (v. 33). The term תּוֹרָה has a broad spectrum of meanings, varying from instruction to law. Generally speaking, God's תּוֹרָה designates some divine instruction relating to conduct for his people. The term is not limited to cultic or ceremonial matters, but also includes civil/social law, and eventually the narrative portions of the Pentateuch as well.³² Jeremiah accuses his people of violating God's תּוֹרָה (6: 19; 9: 12[13]; 16: 11; 32: 23; 44: 10,23; cf. 26: 4). That same תּוֹרָה that has been rejected and disobeyed, once again receives a prominent position.³³ The emphasis here is on God's standard of conduct, not on the details or on the changes that have occurred through the passage of time (as in Deuteronomy in relation to Exodus). This is also the case

29 Cf. Maarten Zijlstra, “The New Covenant in Jeremiah 31:31–34” (MA thesis, ETF Leuven, 2011), 30–37, 61–69; *Bijbelcommentaar Jeremia-Klaagliederen* [Bible commentary Jeremiah-Lamentations], ed. M.J. Paul, G. van den Brink, and J.C. Bette, SBOT (Veenendaal: Centrum voor Bijbelonderzoek, 2013), 833–48.

30 This does not mean that all people are made equal, because Jerusalem fulfills a central role (3: 17). It is striking to see the wording “then they (= the other people) shall be established in the midst of my people (= Israel)” (12: 16).

31 For arguments for this passive translation, see Keith N. Grüneberg, *Abraham, Blessing and the Nations: A Philological and Exegetical Study of Genesis 12:3 in its Narrative Context*, BZAW 332 (Berlin: De Gruyter, 2003). See also the promise in Exod. 19: 6.

32 Peter Enns, “Law of God,” in *NIDOTTE* 4:893–900 (893). See e.g. Ps. 78.

33 Jack R. Lundbom, *Jeremiah* 21–36, AB 21B (New York: Doubleday, 2004), 467–68.

in the prophecy of Isaiah about other nations coming to Sion to learn the תורה of the God of Jacob (Isa. 2: 3).

The obedience will be no longer an outward obligation, because God's תורה will be engraved in their minds and will be written on their hearts. Several times Jeremiah speaks about the inward parts/mind and the heart, usually in a context of sin (5: 23; 4: 14; 9: 7[8]). The prophet says that sin is "engraved" on the tablet of the heart (17: 1), and that the heart "is deceitful above all things" (17: 9). That is why it is necessary for the heart to be circumcised (4: 4). Many prophecies of Jeremiah outline how corrupt the Israelites are and show that disasters result from their violation of the original covenant. In this hopeless situation, the prophet points to a way out.

God will forgive and transform the attitude of his people. As a consequence, there will be an important change in quantity of obedient men and women: everybody in the covenant community knows God (31: 34).³⁴ This is as the circumcision of the heart, mentioned in Deuteronomy 10: 16 and 30: 6 (cf. Jer. 24: 7; 32: 39).³⁵

The Sinai covenant was written on tablets of stone (Exod. 24: 12; 31: 18) and in a book (Exod. 24: 7; cf. Hosea 8: 12), one of the promises of the new covenant is that the law will be written in their hearts. From the context we can see that there is a remedy for the violation of the covenant that has repeatedly occurred. This means, at the very least, that the Israelites receive another focus, and a desire to be obedient. This is clear from the promise, wherein covenant, heart and obedience are connected: "I shall give them one heart and one way, that they may fear me.... I will make an everlasting covenant with them.... I will put my fear in their hearts, so that they will not depart from me" (32: 39–40). A similar message is to be found in 24: 7 "I will give them a heart to know me, that I am YHWH" (cf. Ezek. 36: 25–27).

While this new covenant is made with the nation, it nevertheless carries implications for personal religion. The emphasis is not on individual conversions but on the people as a whole. With this people the covenant relation will be renewed and the old promise will be realised: "I will be their God, and they will be my people" (31: 33).

34 Several times in history only a few Israelites served God according to his will (Deut. 29: 3[4]; 1 Kings 19: 14–18).

35 Cf. Ezek. 11: 19; 36: 26.

8 Knowing YHWH

The next promise is: “And they shall not again instruct each person his fellow and each person his brother, saying, ‘Know YHWH,’ for they, all of them, shall know me, from the least of them to the greatest of them” (v. 34). The verb *know* (יָדַע) here probably carries its most profound connotation, the intimate personal knowledge which arises between two persons who are committed wholly to one another in relationship that touches mind, emotion, and will.³⁶ “Knowing YHWH” requires the expanded meaning of “knowing and doing God’s will” (cf. Hosea 4: 1–2; Jer. 5: 4–5). In Deuteronomy many exhortations are mentioned (5: 1,32; 6: 3; 8: 11 etc.), but in the new situation obedience will no longer be a problem.

Because the verb לָמַד (Piel: teach, instruct) occurs here, it is assumed by many that teaching is at issue, but formal teaching is not meant. Exhortations such as that in Jeremiah 11: 4,7 (“listen to my voice”) and 32: 33 (“though I taught them again and again”) are no longer necessary. Driven by an inner motivation, the Israelites want to recognise their God and to know more and more about him and his word (cf. Josh. 1: 8; Ps. 1: 2; Ps. 119). The new covenant and the renewal of the heart provide a direct relation between God and his people. It is not necessary to assume that all religious education (as in Deut. 6 and Prov. 1–9) will become superfluous or that there will be no longer an increase in the knowledge of God. The emphasis here is on an end to inducement. The promise is in accordance with the words in Isaiah “All your sons will be taught by YHWH” (Isa. 54: 13).

9 Forgiveness

The last promise of the new covenant is the forgiveness of sins (v. 34). This subject is an important theme within these chapters. The sins of Israel were “numerous” (30: 14–15) and that is why they were punished, but God will have mercy on them (31: 20). The consequences of sin for the following generations will be undone (31: 29–30). The promises made in the new covenant are very generous, and can only be possible if God no longer punishes previous sins (see 32: 23,30–33; 33: 5). He is prepared to purify them from all unrighteousness and to forgive their sins (33: 8).

The promise of forgiveness begins with the word כִּי. This can be translated as an explanatory “for,” or as an exclamation of affirmation “truly!” (just like the

³⁶ Thompson, *Jeremiah*, 581.

first word of v. 33). The first translation is commonly used and it is indeed the case that forgiveness is necessary in order to make the aforementioned promises possible. It is however worth considering translating it as “truly,” since the earlier promises offer more than just the possibility of beginning again after forgiveness.

Lundbom considers the forgiveness of sins (v. 34) the really new element in the new covenant, finding expression elsewhere in Jeremiah and the prophets after him (33: 8; 50: 20).³⁷ Only a short time before, YHWH offered to pardon Jerusalem if just one righteous man could be found (5: 1,7) or if people would repent and turn from their evil ways (36: 3), but this offer came to nothing. As Joshua declared at Shechem, YHWH will not forgive the rebellious acts of the Israelites but will punish them (Josh. 24: 19–20).

However, McConville disagrees that the promise of forgiveness of sins is the essentially new thing in the new covenant, because the argument depends on a low evaluation of other texts. “The forgiveness promised here is not introduced as a new concept; rather it comes in the wake of the new possibilities which YHWH is creating by transforming the people themselves.”³⁸ He points to the “theology of illogical grace” at the end of the flood-narrative (Gen. 8: 21), and also in the story of the covenantal renewal after the great apostasy of Sinai (Exod. 34: 9).³⁹

Maybe we can suggest that forgiveness as such is not a new category, because it has been mentioned before in the Pentateuch (e.g. Exod. 32: 12–14; 34: 6), but the new aspect is the totality of forgiveness, even without punishment for a part of the people (as deserved according to the preceding Jer. 31: 30). The prayer “Cause me to turn that I might turn” (31: 18) and God’s answer to this prayer are the solution in the relationship between God and his people.

10 Future

The vision of the new covenant is about the future: in context, a future day or future days are often mentioned by Jeremiah (30: 3,8,24; 31: 1,27,31,33,38; 33: 14–16). The expression **יָמִים הִנֵּה בָּאִים** “see, days are coming” is used 15 times in the book of Jeremiah and three of them occur in chapter 31 (vv. 27, 31 and

37 Lundbom, *Jeremiah* 21–36, 470.

38 J.G. McConville, *Judgment and Promise: An Interpretation of the Book of Jeremiah* (Leicester: Apollos, 1993), 98.

39 McConville, *Judgment and Promise*, 95.

38 Qere).⁴⁰ Sometimes the announced future seems near in time,⁴¹ but this is not always the case, especially when the prophet announces an eschatological future (23: 5–8; 33: 14–16), and this may be also the case with the new covenant (31: 31; cf. 50: 4–5; Amos 9: 13).

The expression אַחֲרֵי הַיָּמִים הָהֵם “after those days” (v. 33) is remarkable. According to Rata this expression points to the same days as mentioned in verses 27 and 31.⁴² However, in the first announcement people die because of their iniquity (see v. 30), while in verses 31–34 people receive forgiveness. Riemersma argues for a later period: first the Torah in the hearts, and afterwards the covenant.⁴³ A problem with this view is that the new covenant is already announced in verse 31. Therefore a distinction between a new spiritual condition and a new covenant is not very likely. It is also possible that the expression “after those days” refers to the return from exile and the repopulation of the land already referred to in verses 27–28. The sequence “repentance – return to the land – a new spiritual condition” is also presupposed in other new covenant passages such as Deuteronomy 30: 1–6; Ezekiel 11: 17–20 and 36: 24–28. In that case the words of verse 33 make explicit the content of the announced covenant in verse 31. This fits well the view of Becking, who describes verses 31–34 as one complex sentence, with verses 32 and 33 as parenthesis.⁴⁴

The message is about a reality not yet realized and, in many aspects, a very different situation from that in the time of the prophet. As usual there is no differentiation between realisation in the near future or in a more distant time. “Curiosity in regard to calendaring and sequencing is understandable, but it was not the centerpiece of the prophets’ speech about the future.”⁴⁵

Various promises in Jeremiah 31 are realised once the Babylonian exile has ended: a part of the people have returned to the promised land, although the impression is that more members of the house of Judah than of the house of

40 Jer. 7: 32; 9: 24[25]; 16: 14; 19: 6; 23: 5,7; 30: 3; 33: 14; 48: 12; 49: 2 en 51: 47,52. Cf. 1 Sam. 2: 31; 2 Kings 20: 17 and Isa. 39: 6; Amos 4: 2; 8: 11; 9: 13.

41 Paul Joüon and T. Muraoka, *A Grammar of Biblical Hebrew*, 2nd ed., SubBi 27 (Rome: Pontificio Istituto Biblico, 2006), 372 (par. 199): “The future expressed by the participle is usually a near future. The nuance of proximity is often emphasized by הָיָה.”

42 Rata, *The Covenant Motif*, 35.

43 Nico Riemersma, “JHWH sluit een nieuw verbond (Jeremia 31:31–34) [YHWH makes a new covenant (Jeremiah 31: 31–34)],” *Nederlands theologisch tijdschrift* 65 (2011): 137–48.

44 Becking, *Between Fear and Freedom*, 252. According to Keil the expression “after these days” is inexact, and probably owes its origin to the idea contained in the phrase “in the end of the days”, as in 23: 20; C.F. Keil, *Jeremiah, Lamentations*, vol. 2, Commentary on the Old Testament (Grand Rapids: Michigan, 1973), 38.

45 E.A. Martens, “Eschatology,” in *Dictionary of Old Testament Prophets*, ed. Mark J. Boda and J. Gordon McConville (Nottingham: IVP Academic, 2012), 178–85 (184).

Ephraim have returned (Ezra 2 and 8). Judean towns are indeed inhabited once more (Jer. 31: 24). However, the inner renewal of the people and their dedication to YHWH have not been realized in that period, as is clear from the books of Ezra and Nehemiah. Prophets such as Haggai, Zechariah and Malachi offer encouragement to obedience, and the future painted of Jerusalem serving as a holy place of YHWH (v. 40) has also not been realised.

Since the terms used to describe the future are very general, it is possible that a much later future and fulfillment are intended. Although the expression “new covenant” in Jeremiah 31: 31 is unique in the Old Testament, the idea of a future covenant between YHWH and Israel is present in several passages.⁴⁶

11 The New Perspective of the New Covenant

Jeremiah offers his fellow countrymen a new prospect. The question can be posed asking, what is the new perspective of his message, and which of the promises fit in with God's earlier revelation? Certain elements are revised, but the core remains the same. In this case, the continuity is primarily to be found in the relationship as promised earlier, but now realised: “I shall be their God and they shall be my people”.

It is to be expected that the content of God's תורה is largely the same, because it is assumed that this is known. The problem that Jeremiah has highlighted is the disobedience to God's תורה and that problem would be solved in the new covenant. Therefore it can be presumed that the content of the obedience that is asked in the new covenant, will not be substantially different than was earlier the case.

A covenant is the sealing of a relationship and usually the ratification of mutual commitments.⁴⁷ Jeremiah 31 pursues the discussion of the relationship of God with the people of Israel. The strong calls for obedience have not resulted in much in the past and now a new situation has come in which God himself provides obedience. This promise matches with expectations in Leviticus and Deuteronomy (Lev. 26: 40–45; Deut. 4: 29–31; 30: 1–10). In those texts we read that this gift occurs on the basis of the covenant with their forefathers, the patriarchs (Lev. 26: 42; Deut. 4: 31; 30: 9). It is notable how often

46 In addition to Jeremiah's notion of a new covenant, the expression ‘everlasting covenant’ is a reference to an eschatological covenant (Isa. 55: 3; 61: 8; Jer. 32: 40; 50: 5; Ezek. 16: 60; 37: 26), as are the expressions ‘covenant of peace’ (Isa. 54: 10; Ezek. 34: 25; 37: 26) and simply the term ‘covenant’ (Isa. 42: 6; 49: 8; 59: 21; Ezek. 20: 37; Hosea 2: 20[18]) in an eschatological context.

47 The mutual aspect is lacking in the covenant with the animals in Gen. 9.

Jacob is mentioned in Jeremiah 30–33, in the context of the new covenant (30: 7,10,18; 31: 7,11; 33: 26). On this basis, it is plausible that for Jeremiah, the covenant with Abraham (Gen. 15 and 17) remains valid.

God is faithful to earlier commitments and covenants. On the basis of previously agreed sanctions, he can punish, such as he does in the exile (Lev. 26: 33–39; Deut. 28: 63–68), but such punishment does not mean the end of the relationship. It was possible to continue the relationship under the old conditions, with or without additional regulations, such as happened with the covenant at Sinai after the sin of the Golden Calf (Exod. 34). In Jeremiah 31, however, it is the promise of a new form of mutual relationship. The new promises could also be given without a new covenant sealing the relationship, but apparently the promises are underlined in the form of a covenant and by the fourfold mention of the “oracle of YHWH.”

Related to the new covenant is the promise of a King David who is raised up (30: 9; 33: 15,17,21,22,26). This and the earlier details lead to the conclusion that the earlier covenants remain valid.⁴⁸ Referring to the covenants with Noah, Abraham, Phinehas⁴⁹ and David, Briggs writes: “All these covenants are alike inviolable, and are sure of fulfilment notwithstanding the impending destruction of Jerusalem and dispersion of the nation.”⁵⁰

Jeremiah mentions several times that the covenant at the Sinai is broken.⁵¹ In this situation the scope of the new covenant is mentioned: Israel and Jerusalem will be restored to their old lustre and the new covenant will have a permanent character (vv. 35–40).⁵² In the following chapter, the new covenant is even referred to as “an eternal covenant” (32: 40; cf. 50: 5). There is also a relationship between the new covenant and the promise of the land (32: 41–44). This theme harks back to the promises made to Abraham and to Moses.⁵³

In the new covenant, God creates the conditions for the fulfillment of his promises, because he changes the hearts of the Israelites. This is God’s answer to the sinful nature of the human heart. This is the new element in the new

48 In Jer. 31: 35 and 33: 25, God’s relation with Israel is compared with the appointed times of the day and the night and the fixed laws of heaven and earth. There is a relation with the covenant with Noah (Gen. 8: 22; cf. Ps. 74: 16–17).

49 Num. 25: 12–13; cf. the covenant with Levi in Jer. 33: 18–22.

50 Briggs, *Messianic Prophecy*, 246.

51 Jer. 11: 10; 31: 32 (פָּרַר); 22: 9 (עָזַב); 34: 18 (עָבַר). Cf. Lev. 26: 15; Deut. 31: 16,20.

52 Cf. Becking, *Between Fear and Freedom*.

53 Cf. *The Earth and the Land: Studies about the Value of the Land of Israel in the Old Testament and Afterwards*, ed. Hendrik J. Koorevaar and Mart-Jan Paul, Edition Israelologie 11 (Berlin: Peter Lang, 2018).

covenant, but in terms of the content, many elements from earlier revelations remain in place.

These conclusions are of great importance for discussions of the new covenant in the New Testament and Christian theology, because often the new covenant is discussed in isolation.

12 Systematic Theology

Following on from the preceding explanations, the next points are important to further considerations of the exegesis, and for a systematic theology.

- a. If a ברית is the sealing of a relationship and various samples of ברית can exist alongside one another, the question is raised of how systematic theology deals with the concept of a covenant. In the Reformed tradition the concept is often used in a comprehensive sense (“covenant of grace”), as an overarching concept, to describe God’s work of the salvation for the people. It is worth realising that there are important differences here, because in the Old Testament only concrete examples of a ברית are mentioned, sometimes with a person and sometimes with a people. Further it is important that Hebrew ברית does not denote a well-defined concept and therefore it is important to establish the meaning in the context. In the discussions of theologians, different definitions of the term can be used.⁵⁴
- b. In Jeremiah 31, the promise of the new covenant is addressed to Israel and to the house of Judah, in which the people as a whole are intended. The other peoples are not mentioned. Only in earlier chapters in Jeremiah is it mentioned that in the future other peoples will share in the salvation of Israel. This raises the question of whether other peoples will also share in the new covenant and, if so, whether they will share in all or merely in some of the covenant privileges. Paul says in Ephesians 2–3 that the peoples were strangers to the covenants (2: 12). Through Christ the wall of separation has been broken through and they have become fellow-citizens and members of the same household (2: 19; cf. 3: 6). In this way they receive salvation, but that does not have to mean that they partake in all aspects of the covenants.⁵⁵ Within the spiritual unity of believers, various differences remain. Certain concrete, physical aspects (the land, Jerusalem) seem to be preserved for Israel alone. This conclusion has

54 Cf. Kwakkel, “Berith and Covenants,” in this volume.

55 *Jeremia-Klaagliederen*, ed. Paul, Van den Brink and Bette, 844.

- consequences for the current relationship between Israel and the church and goes against the replacement theology that has existed for centuries.
- c. We also have the question of the relationship between people and persons, between collective and individual. In Jeremiah 31 the emphasis is on the people as a whole and from that basis the promises are for all members of that people. In systematic theology, the emphasis is often on the individual believer. In this way Gentry and Wellum take Jesus's reference to the new covenant in instituting the eucharist to mean that the new covenant is only made with the followers of Jesus: "... the new covenant is not made with the house of Israel and the house of Judah interpreted as all of Judaism indiscriminately in the first century, but rather it is interpreted specifically as those *who are followers of Jesus*, regardless of ethnicity, Jew first, and later on, also non-Jew" (p. 497). These authors define the new covenant as "one in which all covenant members are faithful, i.e., believers" (p. 504). One does not become a member by physical birth but rather by the new birth. "Jeremiah 31: 34 is important since it shows that the Presbyterian understanding is flawed. There are no covenant members who are not believers" (p. 510).

It seems to me that Gentry and Wellum incorrectly see the twelve disciples as simply representing individual believers and not as representatives of the twelve tribes of Israel. They also fail to take into account the people (also as a nation!) in Jeremiah 31. The people as a whole are addressed (just as in Deut. 30: 1–10), with the intention that everyone will put the message into practice (cf. Jer. 31: 29–30). For systematic theology, it is a challenge to do justice to both the collective and to the individual. That is also the case for the relationships within the Christian church, wherein members are seen as parts of the body of Christ, with rights and responsibilities (1 Cor. 3: 1; 5: 1–13; 12: 12–21).

- d. We must also deal with the question of when the prophecy about the new covenant is fulfilled. After the return from exile, there was some restoration of the cities, but the promised spiritual renewal did not come, even in the intertestamental period. At the Last Supper, when Jesus instituted the practice of communion, he mentions the new covenant. For Christians, the Messiah from the house of David (see 31: 9; 33: 15), has set the new covenant in motion. In 2 Corinthians 3 and Hebrews 8, conclusions are made on the basis of the presence of the new covenant, but not all the promises in Jeremiah 31 have been fulfilled in the time of the New Testament and the later history of Israel.⁵⁶ The complete renewal and

⁵⁶ For an overview of the new covenant in the New Testament and Patristic Literature, see Lundbom, *Jeremiah 21–36*, 474–82.

devotion to God have not yet been fully realized, not even after the outpouring of the Spirit (Acts 2).⁵⁷ It is not the case that everyone amongst the Jewish people and in the Christian church has a deep knowledge of YHWH and serves him. It is therefore not possible to say that the church now fully experiences the blessings of the new covenant. In the tension between the promise and the not yet fully realized reality, it is useful to look at what a fulfillment in phases means and what prospects that offers for the future.

- e. Are the promises of the new covenant unconditional? God gives obedience in order to prevent his people from breaking the covenant and as a consequence the blessings of the covenant can come to fruition. In Leviticus and Deuteronomy a situation is described wherein there is punishment and the possibility of repentance. The responsibility lies with the people: "If they confess their sins" (Lev. 26: 40); "But if from there you seek YHWH your God, you will find him if you seek him with all your heart and with all your soul" (Deut. 4: 29); "When you and your children return to YHWH your God and obey him with all your heart and with all your soul" (Deut. 30: 2). God's intervention and circumcision of the heart is in line with this (30: 6). Promises in the Old Testament are partly dependent on human behaviour. That is to be seen, for example, in the prolonging of Israel's time in the wilderness before entering the Promised Land. The promises as part of the plan of God will be realised sooner or later, but the reaction of those receiving them are important. It therefore seems obvious that Jeremiah does not intend that his audience should see the announcement of the new covenant simply as information, but that they, in their faith and lifestyle, will work towards its fulfillment.⁵⁸ This relationship between the sureness of the promises and the human responsibilities are important for the explanation of the New Testament and for any dogmatic consideration of the nature of the promises for believers.
- f. In the consideration of the meaning of the new covenant it is also important to look at the literary context of Jeremiah. An exegete such as G.Ch. Aalders does not do that, because he sees the prophecies in Jeremiah 30–31 as a collection of prophetic statements. He considers the prophecy of the new covenant and restoration in different and broader terms than occurs in the context of the passage. That is why the return

57 Fischer writes: "... gibt es viele Christen, die hinter den Zusagen von v 33f. zurückbleiben"; Fischer, *Jeremia* 26–52, 175.

58 Fischer speaks of "ein Angebot Gottes"; Fischer, *Jeremia* 26–52, 175.

of Israel out of exile is not a provisional fulfillment, in his view.⁵⁹ Who belongs to the new people of God, is not, according to him, decided by nationality, but by the fact that God's law is written in their hearts; that is, those who are the living members of Christ's body, the members of the invisible church.⁶⁰ According to Aalders, personal belief is a mark of participation in the covenant, while Jeremiah started with the covenant. Looking at this view of Aalders, it is important to realise that the context points to the people of Israel. Thereafter, we can, with the help of other prophecies and the teaching in the New Testament, apply aspects of the covenant to the Christian community.

- g. The terms 'Old Testament' and 'New Testament' have been used since around 200 AD to denote the two parts of the canon. This terminology fits in with the references to an "old covenant" and a "new covenant" (2 Cor. 3), but because the old covenant refers to the covenant at Sinai, one can speak of a shift in meaning. A reference to the relationship between God and Israel from the time in the desert became a reference to a collection of books.⁶¹ The name 'Old Testament' for a large part of the canon does not do justice to the remaining covenants, such as that made with Abraham. So, too, does the name 'New Testament' suggest a complete fulfillment of Jeremiah 31 in the form of the Christian church. As mentioned earlier, we encounter here several bottlenecks and it is a challenge to consider the relationship between both parts of the canon and to describe them better.
- h. For Christians the concept of the new covenant is very important and it is used as a legitimation of belief in Jesus and of a lifestyle that differs from several regulations in the Torah (2 Cor. 3; Heb. 8). In the Jewish tradition the consideration of covenants in general and reflection on the new covenant play a much smaller role than is the case in Christianity.⁶² Reception history helps to illustrate the different positions in the course of the centuries, and in a dialogue this approach is valuable for a more balanced description of the Christian position on the new covenant.

59 In this Aalders goes against the interpretation of J. Ridderbos in *Het Godswoord der Profeten* [The word of God in the prophets], 4 vols (Kampen: Kok, 1930–1941).

60 G.Ch. Aalders, *Het verbond Gods: Een hoofdstuk uit de geschiedenis der openbaring* [God's Covenant: A chapter from the history of revelation] (Kampen: Kok, 1939), 152–61.

61 Mart-Jan Paul, "Das Neue Testament als Fortsetzung und Vollendung des Alten Testaments," in *Theologie des Alten Testaments: Die bleibende Botschaft der hebräischen Bibel*, ed. Hendrik Koorevaar and Mart-Jan Paul (Giessen: Brunnen, 2016), 324–47 (331–33).

62 Alon Goshen-Gottstein, "The New Covenant – Jeremiah 31:30–33 (31:31–34) in Jewish Interpretation," *Studies in Christian-Jewish Relations* 15.1 (2020): 1–31; Aaron Chun Fai Wan, "The Concept of the 'New Covenant' (Jeremiah 31: 27–40) in Ancient Jewish Reception History," in this volume.

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The Concept of Covenant in Luke and Acts

With Special Focus on the Speech of Peter in Acts 3:12–26

Arco den Heijer

The concept of covenant is central to Reformed theology, and has led to many debates on questions such as: what is the position of the covenant partners in relation to each other? How does the “promise” of the covenant relate to the demand it makes on the human recipient? How many covenants should be distinguished? Elsewhere in this volume, Hans Burger signals a number of problems in Reformed federal theology, including a neglect of Israel in reflection on the covenant and a difficulty to understand the covenants with Israel because they have to be either a covenant “of works” or a covenant “of grace,” the nature of covenant being determined by the pre-fall covenant of works with Adam.¹

In contrast, this paper intends to show that Luke, in his two books to Theophilus, uses the concept of covenant to highlight the priority of Israel, and considers the covenant with Abraham as a divine blessing that, at the same time, constitutes the basis for an urgent call to respond in obedience and repentance. This will be argued on the basis of an exploration of passages referring to the covenant throughout Luke and Acts, with special focus on the speech which Peter delivered after healing a lame man at one of the temple gates (Acts 3: 12–26). In this speech, being “sons of the covenant” is connected to Israel’s task to be a blessing for the nations, a task that drives the mission to the Gentiles in the book of Acts. Reflection on the concept of covenant as it can be found in Luke and Acts may help systematic theologians to recalibrate the concept of covenant in Reformed theology.

¹ Page 334–339 in this volume. Cf. also the contribution of Arnold Huijgen, who likewise laments the lack of attention to Israel in Reformed federal theology.

1 The Semantics of Διαθήκη and the Concept of Covenant in Luke and Acts

Although the New Testament concept of “covenant” is often thought to be expressed by the term διαθήκη as the Greek equivalent of the Hebrew בְּרִית, it is also well known that in non-Jewish writings, the Greek noun is used mostly for legal dispositions (including testaments; but it is not necessarily related to the decease of the one who made the διαθήκη).² It can also refer to an agreement to do something, or not to do something, as in Aristophanes’ *Birds*: “[...] unless they establish a διαθήκη with me, [...] not to bite me.”³ In this case, διαθήκη is used as an equivalent of συνθήκη, the more usual Attic term for a contract between two parties. This (rare) usage may have enabled the translators of the Septuagint to use the term διαθήκη for the covenants established by God with Abraham and others. The replacement of διαθήκη by συνθήκη, in the revision of Aquila and in other Jewish writings, does not reflect a theological difference, but the general tendency of these authors to write in a more Atticizing Greek.⁴ The New Testament follows the Septuagint in opting for διαθήκη. Marguerite Harl has argued that in the Septuagint of Genesis, the more widespread meaning of διαθήκη as “a disposition to give something,”⁵ in combination with the divine oaths mentioned in connection to the covenants results in an emphasis on the promise for the future that is provided in the covenant, particularly the promise of land as an inheritance (κλήρος) and the multiplication of the offspring of Abraham.⁶ Regardless of the precise semantics of διαθήκη, however, it should be emphasized that the concept of covenant is expressed in the narratives of the various instances of covenant establishment, and not contained within one word.⁷

2 Cf. *LSJ*, s.v. διαθήκη; Franco Montanari et al., *The Brill Dictionary of Ancient Greek* (Leiden: Brill, 2015), 487.

3 Aristophanes, *Birds*, 440–42: “ἢν μὴ διάθωνταί γ’ οἶδε διαθήκην ἐμοὶ [...] μῆτε δάκνειν τούτους ἐμὲ [...]” This passage is discussed in more detail in the contribution of Gert Kwakkel to this volume.

4 Marguerite Harl and Monique Alexandre, *La Genèse*, La Bible d’Alexandrie 1 (Paris: Le Cerf, 1986), 55.

5 “Une ordonnance en vue de donner quelque chose.” Harl and Alexandre, *Genèse*, 55.

6 Harl and Alexandre, *Genèse*, 55–59. Harl notes that the New Testament expresses this idea of “promise” with the noun ἐπαγγελία, which is absent from the Greek Pentateuch (Harl and Alexandre, *Genèse*, 55).

7 Cf. Stanley E. Porter, “The Concept of Covenant in Paul,” in *The Concept of the Covenant in the Second Temple Period*, ed. Stanley E. Porter and Jacqueline C.R. de Roo, *JSJSup* 71 (Leiden: Brill, 2003), 269–85. See also the contribution of Gert Kwakkel to this volume.

In Luke and Acts, the noun διαθήκη occurs four times. In Luke 1: 72, “his [God’s] holy διαθήκη” (διαθήκης ἁγίας αὐτοῦ) is paraphrased as “the oath which he swore to Abraham our father, to give us that we may worship (λατρεύειν) him without fear, rescued from the hand of our enemies [...]”⁸ Likewise, in Acts 3: 25, the “διαθήκη which God established with our fathers” is explicated by a citation of a promise, “in your seed will all families of the earth be blessed,” which in the context of Genesis is not referred to as a διαθήκη, but as an oath of God to Abraham.⁹

Somewhat more complex is the reference in Acts 7: 8 to the διαθήκη περιτομῆς, which is said to be given to Abraham by God after God has promised to deliver Abraham’s offspring from the Egyptians so that they would “worship me (λατρεύουσιν μοι) in this place.”¹⁰ After God has given the διαθήκη περιτομῆς, Abraham begets Isaac and circumcises him on the eighth day. Thus, in this context, the διαθήκη περιτομῆς refers to the command of God to circumcise, as the human response of loyalty to the covenant.¹¹ It does not refer to a disposition of God to give something to his people, but to an institution given by God to Abraham to enable him to express his obedience in the covenantal relationship.¹²

Finally, Luke 22: 20 mentions the καινὴ διαθήκη in the context of the Pesach meal: the cup after the meal is “the new διαθήκη [established] in my blood.” Here, καινὴ διαθήκη is a clear reference to Jeremiah 31: 31 (Jer. 38: 31 LXX): in Jesus’ death, God restores the covenant with Israel (as represented by the Twelve).¹³ In the context of Jeremiah 31, the covenant is “new” in the sense that the people of Israel had broken the Sinai covenant, but God re-establishes his covenant with his people and will now write his law in their hearts.¹⁴ Διαθήκη,

8 Luke 1: 73.

9 Gen. 22: 16.

10 Acts 7: 7; cf. Luke 1: 73.

11 Annie Jaubert notes that Greek Sirach uses διαθήκη both as a translation of בְּרִית and of קִיּוּם, “precept.” Annie Jaubert, *La notion d’alliance dans le judaïsme aux abords de l’ère chrétienne*, PatSor 6 (Paris: Le Seuil, 1963), 313.

12 On the relationship between covenantal partners and their mutual obligations in its Ancient Near Eastern context, cf. the contribution of Koert van Bekkum in this volume.

13 Luke 22: 14. The Last Supper anticipates the table of Jesus in his Kingdom, when the Twelve will be seated on thrones to judge the twelve tribes of Israel, Luke 22: 29–30. On the importance of the Twelve in the restoration of Israel, cf. Michael E. Fuller, *The Restoration of Israel: Israel’s Re-Gathering and the Fate of the Nations in Early Jewish Literature and Luke-Acts*, BZNW 138 (Berlin: De Gruyter, 2006), 239–64.

14 Cf. also the contribution of Mart-Jan Paul in this volume, and that of Arie Versluis, who demonstrates that the book of Deuteronomy envisages a future of “continuous renewal and confirmation of the covenant between YHWH and Israel” (p. 94). It should be emphasized that the ‘new covenant’ is still a covenant with Israel, and was understood as such

in this context, is not a divine promise, but a mutual agreement of loyalty, “they will be my people and I will be their God.”¹⁵

In sum, the meaning of *διαθήκη* in Luke-Acts varies and depends on the immediate context. However, in all instances it is part of an allusion to a biblical narrative. Luke 1: 72, Acts 3: 25 and Acts 7: 8 allude to the covenant with Abraham, which included an oath of God concerning Abraham’s offspring and the obligation for the offspring to circumcise their sons. Luke 22: 20 refers to the re-establishment of the Sinai covenant as promised by Jeremiah for the eschatological age. Because *διαθήκη* evokes these narratives and the concepts of covenant expressed in them, it is meaningful to speak of a Lukan concept of covenant even if “covenant” is not necessarily the best translation of *διαθήκη* in each text.

Conversely, the concept of covenant may also be present where the term *διαθήκη* is absent. The covenant with the patriarchs is in view in Luke 1: 55, Acts 7: 17, 13: 32 and 26: 6, the covenant with David in Acts 2: 30 and Acts 13: 23. Especially Paul’s speech in the synagogue of Pisidian Antioch makes clear that the birth and resurrection of Jesus fulfils both the (covenantal) promise to the patriarchs and the (covenantal) promise to David.¹⁶ The same speech also contrasts this eschatological salvation with the Sinai-covenant, expressed in “the law of Moses,” through which Paul’s Jewish audience had not been able to attain justification – the same contrast that is present in Jeremiah 31.¹⁷

2 The Priority of Israel as “Sons of the Covenant” in Peter’s Speech in Acts 3: 12–26

What stands out in the overview given above is that all references to *διαθήκη* and to biblical narratives about covenants are closely tied to the unique position of Israel.¹⁸ A closer look at Peter’s speech in Acts 3: 12–26 shows the significance of this.

Peter’s speech consists of two parts.¹⁹ The end of the first part provides the answer to the question posed by Peter in 3: 12 concerning the power through

both in the New Testament and in Jewish reception history (cf. the contribution of Aaron Chun Fai Wan).

15 Jer. 31: 33.

16 Acts 13: 23, 32.

17 Acts 13: 39.

18 Cf. Rom. 9: 4: “the covenants” are of the Israelites.

19 The second part can (like the first part) be subdivided in three sections (17–21, 22–24, 25–26); cf. Daniel Marguerat, *Les Actes des Apôtres (1–12)*, CNT 5a (Geneva: Labor et Fides, 2007), 124.

which the lame man at the temple gate has been healed; the beginning of the second part is signalled by the repetition of the address of the audience as “brothers” (3: 17). The second part exhorts the audience to repentance. Simon Butticaż has argued that the healing of the lame man functions as a paradigm for the restoration of Israel.²⁰ At the very least the healing of the lame man serves as a demonstration of the power of the Name of Jesus and as support of the apostolic witness of his resurrection.²¹ The resurrection of Jesus makes clear that his suffering and death at the hands of Peter’s audience were part of God’s fulfilling of the prophecies concerning the Anointed one.²² The eschatological age has dawned: Jesus is the prophet promised by Moses, and all the prophets have announced “these days.”²³ Hence, it is crucial that Peter’s audience repent and turn back so that God will send Jesus Christ from heaven and the “restoration of all things” promised by the prophets will be realized.²⁴ Finally, in verses 25–26, he addresses his audience as the sons of the prophets and of the covenant with the ancestors, which is connected both with the prophetic testimony adduced in verses 22–24 and with the reference at the beginning of the speech to the God of Abraham, Isaac and Jacob.

There are important connections between Peter’s speech and the speech of Stephen in Acts 7.²⁵ Not only do both speeches contain a reference to the covenant with the patriarchs, they also both refer to Deuteronomy 18: 15–19, presenting Jesus as the “prophet like Moses.”²⁶ In Stephen’s speech, the inner

20 Simon Butticaż, “Actes 3, 1–26. Le relèvement de l’infirmes comme paradigme de la restauration d’Israël,” *Études théologiques et religieuses* 84 (2009), 177–88.

21 Acts 3: 16.

22 Acts 3: 18.

23 Acts 3: 22–24.

24 Acts 3: 20–21. That God will send (ἀποστείλει) Jesus after he has been received in heaven recalls the sending of Elijah promised in Mal. 3: 23 (4: 5). Cf. A.W. Zwiep, *The Ascension of the Messiah in Lukan Christology* (Leiden: Brill, 1997), 109–15. There is some tension between verse 20, which states that their repentance will cause the Lord to send the Anointed One, and verse 21, which emphasizes his coming at a fixed time. Throughout his work, Luke expresses his firm belief that history evolves according to God’s will. This does not exclude, however, the possibility that God will come to rescue when his people repent and call on him. Cf. Jacob Jervell, *The Theology of the Acts of the Apostles* (Cambridge; New York: Cambridge University Press, 1996), 106–15.

25 Cf. also Gert J. Steyn, *Septuagint Quotations in the Context of the Petrine and Pauline Speeches of the Acta Apostolorum* (Kampen: Kok Pharos, 1995), 130.

26 These are the only two passages in the New Testament in which Jesus is presented as the “prophet like Moses” (Steyn, 152–53). Gert Kwakkel has challenged the conventional interpretation of Acts 3: 22 and 7: 37, arguing that Moses predicted the appearance of the Old Testament prophets, to whose testimony about Jesus the Jews should listen. In support of the usual interpretation, however, is the use of the singular ‘a prophet’ and the repetition of the verb ἀνίστημι in verse 26, which suggests that Jesus is the prophet of whom Moses said that God would raise him from among “your brothers.” Cf. Gert Kwakkel, “Iemand als

coherence between these two elements is made clear: the redemption of Israel through the hand of Moses is portrayed as a fulfillment of the covenantal promise to Abraham and prefigures the eschatological redemption through Jesus, the prophet like Moses.²⁷

Both speeches are part of a broader concern of Luke to demonstrate that the restoration of Israel has begun through Jesus, the Davidic Messiah, as Michael Fuller has shown in depth.²⁸ As much as Luke emphasizes the salvation of the Gentiles, he also insists that the salvation of the Gentiles is preceded by the restoration of Israel: they are the sons of the covenant, and therefore God sent his servant Jesus to them first, to turn them away from their misdoings.²⁹ Thus, the concept of covenant highlights the priority of Israel.

3 The Blessing and Responsibility of Being “Sons of the Covenant”

Throughout the literature of ancient Judaism, being part of the people with whom YHWH has established his covenant is considered a blessing, a source of hope that God will rescue his people when they repent and call upon him.³⁰ In Luke 1: 72, the salvation through Jesus is seen as fulfillment of God's oath to Abraham, and in the speech of Peter, being “sons of the covenant” is a privilege:

Mozes. Deuteronomium 18:9–22 en de identiteit van de profeet [Someone Like Moses: Deuteronomy 18:9–22 and the Identity of the Prophet],” in *Wonderlijk gewoon. Profeten en profetie in het Oude Testament* [Remarkably Ordinary: Prophets and Prophecy in the Old Testament], ed. Gert Kwakkel, TU-bezinningsreeks 3 (Barneveld: De Vuurbaak, 2003), 11–28, esp. 16–18.

27 Acts 7: 17, 25, 35–37. Cf. S. Van den Eynde, “Children of the Promise: On the ΔΙΑΘΗΚΗ-Promise to Abraham in Lk 1,72 and Acts 3,25,” in *The Unity of Luke-Acts*, ed. Joseph Verheyden, BETL 142 (Leuven: Peeters, 1999), 469–82. On recurring patterns in history in the book of Acts and as a feature of Hellenistic historiography, cf. David P. Moessner, *Luke the Historian of Israel's Legacy, Theologian of Israel's Christ: A New Reading of the Gospel Acts of Luke*, BZNW 182 (Berlin: De Gruyter, 2016), 367.

28 Fuller, *Restoration*.

29 Acts 3: 25–26. On Jesus as παῖς, cf. Rouven Genz, *Jesaja 53 als theologische Mitte der Apostelgeschichte: Studien zu ihrer Christologie und Ekklesiologie im Anschluss an Apg 8,26–40* (Tübingen: Mohr Siebeck, 2015). παῖς θεοῦ is used in the Septuagint and in the New Testament for Moses, David (cf. Luke 1: 69; Acts 4: 25), the people of Israel (cf. Luke 1: 54), and the prophets.

30 Cf. Pss. Sol. 9: 11; T. Mos. 3–4; in Qumran: CD 8: 18; 19: 31; 1QM 13: 7; 14: 8; Philo, *Praem.* 166. Cf. Jaubert, *Notion d'alliance*; Friedrich Avemarie and Hermann Lichtenberger, eds., *Bund und Tora: zur theologischen Begriffsgeschichte in alttestamentlicher, frühjüdischer und urchristlicher Tradition*, WUNT 92 (Tübingen: Mohr, 1996); Stanley E. Porter and Jacqueline C.R. de Roo, eds., *The Concept of the Covenant in the Second Temple Period*, JSJSup 71 (Leiden: Brill, 2003).

because Peter's hearers are "sons of the covenant," God has raised his servant for them first.³¹ In this verse, God is the agent: God, as the one who established the covenant, has taken the initiative to raise his servant and "sent him to bless you in turning each away from your wrongdoings."³² His goal is the restoration of all Israel, "each" individual (ἕκαστον) of the audience.

Still, although it is central to the theology of Luke and Acts that God is in control of history,³³ humans are held responsible for their reaction to the work of God.³⁴ Peter's speech contains an urgent call on his audience to repent and return (3: 19a), a call that is motivated not only by a promise (3: 19b–21), but also by an incisive warning. Quoting Deuteronomy 18: 15, 18–19, Peter makes clear that if Jesus is the prophet like Moses that God would raise "from among your brothers," they should obey him according to all that he will speak to them.³⁵ And he proceeds, "it will be that everyone who will not obey this prophet will be eliminated from the nation."³⁶ Here, Luke replaces the punishment of Deuteronomy 18: 19 ("I will exact vengeance from him") with an even more intense punishment.³⁷ The phrase ἐξολεθρευθήσεται ἐκ τοῦ λαοῦ occurs regularly in Torah and denotes elimination from the people of Israel through execution, as the severest form of punishment for all kinds of offenses.³⁸ Thus, the sending of Jesus is intended to restore Israel, but it has a critical side to

31 Acts 3: 26. Ὑμῖν reiterates the emphatic ὑμεῖς of verse 25. Ἀναστήσας should be read in close connection to ἀπέστειλεν: God sent his servant by bringing him "on to the stage of history"; a specific reference to the resurrection is not likely. C.K. Barrett, *A Critical and Exegetical Commentary on the Acts of the Apostles*, vol. 1, ICC (Edinburgh: T&T Clark, 1994), 213–14.

32 The present tense of the participle εὐλογοῦντα is used to express the goal of his mission (where classical Greek would use a future tense), cf. Friedrich Blass, Albert Debrunner, and Friedrich Rehkopf, *Grammatik des neutestamentlichen Griechisch*, 18th ed., (Göttingen: Vandenhoeck & Ruprecht, 2001), 347 (§418:4). Because the focus is on God's activity in the sentence, ἀποστρέφειν should be interpreted in a transitive sense with ἕκαστον as object (Genz, *Jesaja* 53, 243).

33 Cf. Lukas Bormann, *Theologie des Neuen Testaments: Grundlinien und wichtigste Ergebnisse der internationalen Forschung* (Göttingen: Vandenhoeck & Ruprecht, 2017), 301–7.

34 On the relation between divine agency and human responsibility, cf. also the contribution of Michael Mulder to this volume.

35 Acts 3: 22.

36 Acts 3: 23.

37 For analysis of the differences between the quotation in Acts and the Septuagint of Deut. 18: 15, 18–19 and Lev. 23: 29, cf. Steyn, *Septuagint Quotations*, 140–53. Steyn concludes (p. 149): "The first part of the quotation is almost verbatim, the only changes being in the word order, while the second part seems to be a conflation of the rest of Deut. 18:19–20, 22 and a curse such as the one in Lev. 23:29."

38 Gen. 17: 14; Exod. 12: 15, 19; 30: 33; 31: 14; Lev. 17: 4, 9, 14; 22: 3; 23: 29; Num. 9: 13; 15: 30; 19: 20. The quotation in Acts 3: 23 is most similar to Lev. 23: 29.

it as well: those who will not obey him, as the new Moses, will be eliminated from Israel.³⁹

The privileged position of Israel as “sons of the covenant” is mentioned after this urgent call to repentance. That the Jewish audience of Peter is the primary addressee of Jesus’ mission, which intends to turn *each* away from their wrongdoings, only heightens their accountability to respond to this blessing by repentance and obedience. Divine agency does not preclude human agency in the covenant; rather, it increases the need to act in faithful response to God’s initiative.

4 The Crucial Role of the Restoration of Israel for the Salvation of the Gentiles

Thus far we have seen that Luke uses the concept of covenant to highlight the unique position of Israel, which entails both blessing and responsibility. It is striking, however, that the quotation which explicates God’s covenantal promise to Abraham refers not only to Israel, but also to “all the families of the earth.”⁴⁰ This the most complex part of Peter’s speech and has been interpreted in various ways.

The quotation appears to be a conflation of Genesis 22: 18 (= 26: 4: καὶ ἐνευλογηθήσονται ἐν τῷ σπέρματί σου πάντα τὰ ἔθνη τῆς γῆς) and Genesis 12: 3 (καὶ ἐνευλογηθήσονται ἐν σοὶ πάσαι αἱ φυλαὶ τῆς γῆς): πατριαὶ is best read as an alternative translation of $\pi\alpha\tau\rho\iota\alpha\iota$ (Gen 12: 3; LXX: φυλαὶ).⁴¹ Some have suggested that Luke has altered the wording of Genesis 22: 18 because πάντα τὰ ἔθνη would refer to Gentiles and exclude Peter’s Jewish audience;⁴² Luke would want to say that both Gentiles and Jews, and therefore, all the families of the earth, are blessed by the seed of Abraham.⁴³ On the other hand, Jervell has suggested that

39 Cf. Jacob Jervell, “Das gespaltene Israel und die Heidenvölker: Zur Motivierung der Heidenmission in der Apostelgeschichte,” *Studia Theologica – Nordic Journal of Theology* 19 (1965), 68–96.

40 Acts 3: 25.

41 $\pi\alpha\tau\rho\iota\alpha\iota$ is translated as πατριαὶ in Pss. 21: 28 (MT 22: 28) and 95: 7 (MT 96: 7). Cf. Barrett, *Acts*, 1:212. A similar mixture appears in Gal. 3: 8–16, where Paul’s discussion of σπέρμα in Gal. 3: 16 presupposes a different text than the verse he actually quotes in Gal. 3: 8. Cf. Dietrich-Alex Koch, *Die Schrift als Zeuge des Evangeliums: Untersuchungen zur Verwendung und zum Verständnis der Schrift bei Paulus* (Tübingen: Mohr, 1986), 222.

42 Note, however, that πάντα τὰ ἔθνη seems to include the people of Israel in Matt. 25: 32 and 28: 19.

43 Cf. Steyn, *Septuagint Quotations*, 155. Steyn refers to Lüdemann and Rese as supporting this view.

πατριαὶ refers only to all the Jewish families on earth, because πατριαὶ usually refers to the families of the house of Israel in the Septuagint.⁴⁴ However, the phrase “all the families of the earth” (πάσαι αἱ πατριαὶ τῆς γῆς) does not occur in the Septuagint, and seems to be equivalent in meaning to the phrase “all the families of the nations” (πάσαι αἱ πατριαὶ τῶν ἐθνῶν) which occurs twice in the Psalms.⁴⁵ Finally, Alexis Léonas has argued that τῆς γῆς denotes “the land” instead of “the earth.”⁴⁶ This, however, would flatly contradict the intention of the Abrahamic blessing in Genesis, and run counter to the way in which this blessing was widely interpreted in ancient Judaism: as reflecting the role of Israel among the other nations.⁴⁷ Therefore, it is probably best not to press the slight difference in wording, and to conclude with Gert Steyn that the quotation of Genesis 22: 18 is a free quotation “not copied from a written *Textvorlage*, but rather from memory and/or oral tradition.”⁴⁸

Moreover, scholars differ in how to interpret the “seed of Abraham.” Some argue on the basis of Galatians 3: 16 that the “seed of Abraham” is a reference to Jesus.⁴⁹ However, all texts from second temple Judaism that comment upon the blessing for the nations through the seed of Abraham take this seed as a reference to the collective offspring of Abraham, the people of Israel.⁵⁰ Moreover, the usage elsewhere in Luke and Acts supports a collective interpretation

44 Jervell, *Theology*, 113.

45 Pss. 21: 28 LXX; 95: 7 LXX.

46 Cf. Alexis Léonas, “A Note on Acts 3,25–26: The Meaning of Peter’s Genesis Quotation,” *Ephemerides Theologicae Lovanienses* 76 (2000), 149–61. Léonas argues that the Gentiles are not relevant to the Jewish audience of Peter’s speech and that “in your seed” should be interpreted in a locative sense. Thus, he renders Acts 3: 25c as “All the families of the land who are part of your offspring shall be blessed” (p. 159). His main argument is that ἐν has a locative meaning in classical Greek. However, he ignores evidence for the clearly instrumental use of ἐν both in the New Testament (cf. Friedrich Blass, Albert Debrunner and Friedrich Rehkopf, *Grammatik des neutestamentlichen Griechisch*, 178 [§219]) and in non-biblical Greek (cf. *LSJ* s.v. ἐν).

47 Cf., e.g., Sir. 44: 19–24; Philo, *Migr.* 120–21; Jub. 22: 21–25; Gen. Rab. 39: 11.9–10; 12.3; Gen. Rab. 66: 2.

48 Steyn, *Septuagint Quotations*, 156.

49 E.g., Ernst Haenchen, *Die Apostelgeschichte*, 16th ed., KEK (Göttingen: Vandenhoeck & Ruprecht, 1977), 208.

50 Besides secondary literature on the covenant in second temple Judaism (Avemarie and Lichtenberger, *Bund und Tora*; Porter and De Roo, *Concept of the Covenant*), I used the register of biblical references in Charlesworth’s edition of the Pseudepigrapha and a lemma search in BibleWorks on ἐνευλογέω in the Septuagint, Philo, and Josephus. According to Ps. 72: 17 (71: 17 LXX), all tribes of the earth will be blessed through the Davidic king, a clear allusion to Gen. 12: 3. However, the king is not identified as “seed of Abraham” in this text.

of the “seed of Abraham.”⁵¹ An argument in favour of interpreting the “seed of Abraham” as a reference to Christ, is that the verb [ἐν]εὐλογέω is used in verse 26 with the “servant” as agent, which could suggest taking him as the agent of the blessing in verse 25 as well.⁵² However, although the repetition of [ἐν]εὐλογέω is significant, it should be noted that the object of blessing differs: in verse 25, “all the families of the earth” will be blessed through Abraham’s seed, whereas the servant in verse 26 is sent to bless “you”, the Israelites.

Therefore, it is best to interpret the seed of Abraham as the people of Israel, the audience of Peter’s speech, in parallel with the emphatic ὑμεῖς of verse 25 and ὑμῖν of verse 26.⁵³ Being “sons of the covenant” implies not only privilege and responsibility, but also a task in the world. God restores Israel so that it can fulfil its covenantal task to mediate blessing to “all families of the earth.” Israel is restored as a nation of priests for the world.⁵⁴ This highlights the importance of the opening chapters of Acts for the rest of the book: the fast growing community of disciples that is constituted in Jerusalem as the beginning of a restored Israel around the twelve apostles is the basis for the spread of the Gospel, first to all Israel (Judea and Samaria, terms that recall the ancient division in a Northern and Southern kingdom),⁵⁵ and then further north to Antioch, where they proclaim the Lord Jesus to Greeks.⁵⁶ More particularly, two men are divinely called to bring the Gospel to the Gentiles: first Peter, as the leader of the twelve apostles,⁵⁷ then Paul, as the Isaianic servant of the Lord called (like Israel, and on behalf of Israel) to be a light to the nations.⁵⁸

51 Luke 1: 55; Acts 7: 5–6; cf. also Acts 13: 26 (γένος Ἀβραάμ). Jesus is not even identified as “the seed of David” (*contra* Robert L. Brawley, “Abrahamic Covenant Traditions and the Characterization of God in Luke-Acts,” in *The Unity of Luke-Acts*, ed. Joseph Verheyden, BETL 142 [Leuven: Peeters, 1999], 112–13), but is “from the seed of David” (Acts 13: 23): the seed of David is conceived of as a lineage of royal individuals.

52 In verse 25, the variant reading εὐλογηθήσονται is perhaps to be preferred over ἐνεὐλογηθήσονται, as *lectio difficilior* (Horst Balz and Gerhard Schneider, “ἐνεὐλογέω,” *EWNT* 1:1110).

53 Similarly J. van Eck, *Handelingen: de wereld in het geding* [Acts: The World on Trial], CNT-3 (Kampen: Kok, 2003), 109; Barrett, *Acts*, 1:212–13.

54 Cf. Exod. 19: 5–6; Isa. 61: 4–9; 1 Pet. 2: 5–10.

55 Acts 8: 1.

56 Acts 11: 19–20.

57 Cf. Acts 15: 7.

58 Acts 13: 47; 26: 16–19. Cf. Jaap Dekker, “Licht voor de volken: Lucas’ gebruik van Jesaja 49:6 in Handelingen 13:47,” [Light for the Nations: Luke’s Use of Isaiah 49:6 in Acts 13:47] in *Acta: Bundel ter gelegenheid van het afscheid van prof.dr. T.M. Hofman als hoogleraar aan de Theologische Universiteit Apeldoorn* [Acta: Essays in Honour of Prof. Dr. T.M. Hofman as Professor of the Theological University Apeldoorn], ed. Gerard C. den Hertog, Michael C. Mulder, and Theo E. van Spanje (Heerenveen: Groen, 2015), 55–66.

5 Gentile Believers and the Covenant

Later in Acts it becomes clearer how Gentiles will become related to the covenant. In Acts 15, James recalls Peter's report about how "for the first time (πρώτον), God cared to take a people from the Gentiles for his name."⁵⁹ In Acts 26: 18, Jesus declares to Paul that the Gentiles will "receive an inheritance among the saints through faith in me." Both "people" (λαός) and "inheritance" (κλήρος) are key terms in the biblical narratives about God's covenant with Israel.⁶⁰ The addition of a people from the Gentiles is, for Luke, an eschatological *novum* and not a return to an alleged universal scope of God's covenant before the election of Israel; in the past, God had let the Gentiles go their own way, only bestowing on them the providential care that God bestows on all creation.⁶¹ As we have seen, Israel, as God's covenant people, had been called to be a blessing to the nations; but receiving the benefits of this blessing is not the same as sharing in God's covenant with Israel. Only now, in the last days, believers from the Gentiles may share in the renewed covenant with Israel, something at which Peter's speech to the Jews at Pentecost hints when he says, "for you is the promise, and for your children, *and for all those afar, as many as the Lord our God will call.*"⁶² The "promise" in this passage is the promise of the gift of the Spirit as represented in the ritual of baptism, a promise related to the new covenant.⁶³

6 Conclusion

Luke uses the concept of covenant to highlight the privilege, responsibility and task of the people of Israel, as sons of God's covenant with the patriarchs. The covenant with the patriarchs is, from the perspective of Luke, a promise of God that Israel will live in peace in the land of the inheritance, to serve him and to mediate his blessings to the world.⁶⁴ This promise was first fulfilled when Moses delivered Israel out of Egypt and gave Israel the law that would regulate life in service of the Lord in the promised land, but Israel was disobedient.⁶⁵ Therefore, God sent Jesus, the prophet like Moses, a Jew among his brothers,

⁵⁹ Acts 15: 14.

⁶⁰ Harl and Alexandre, *Genèse*, 55–59. Cf. also 1 Peter 2: 9–10.

⁶¹ Acts 14: 16–17; cf. Acts 17: 30.

⁶² Acts 2: 39.

⁶³ Acts 2: 38; cf. Ezek. 36: 24–28.

⁶⁴ Luke 1: 72; 3: 25.

⁶⁵ Acts 7: 35–38.

to restore Israel and to establish a new covenant through his death. In the new covenant, God requires obedience to Jesus as he required obedience to Moses. Divine agency – God’s sending Jesus to bring each of the Israelites to repentance – goes hand in hand with human responsibility: those who do not heed the words of Jesus will be eliminated from the people. Thus, the people of Israel is restored in order to be able to mediate blessing to all the families of the earth. This drives the mission to the Gentiles, who receive through faith a share in the covenant with Abraham.

Thus, the Lukan concept of covenant is more complex than the popular hourglass model in which a universal covenant with mankind in Adam narrows down via Israel to Jesus and then widens back to a universal scope. In this model, the role of Israel is relegated to that of “experimental garden” (Berkhof) or a temporary dispensation. For Luke, the covenants with Israel are paradigmatic and constitutive, and the participation of the Gentiles is an eschatological novelty. Moreover, Peter’s speech in Acts 3: 12–26 shows how the covenant functions in a context of exhortation, keeping divine agency and human responsibility in fruitful tension. As a result for the systematic-theological debate about the covenant and how it functions, it appears to be better to take the covenant with the patriarchs and Israel as paradigmatic, rather than the covenant with Adam.

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Is Covenant an Important Concept for the New Testament?

Galatians 4: 21–31 as a Test Case

Donald E. Cobb

The covenant is a central theological concept in Jewish scripture, occurring no less than 285 times in twenty-seven of its thirty-nine books. In the New Testament, however, use of the “covenant” is much more sparse, being limited to some thirty-three occurrences, practically half of which are found in the book of Hebrews. Beyond that letter, its presence is confined to ten New Testament books, in many of these occurring only once. This infrequency can be noticed, more specifically, in the letters attributed to Paul: *διαθήκη* is used only nine times in the whole Pauline corpus: twice in Romans, once in 1 Corinthians (quoting the words of institution for the Lord’s Supper), twice in 2 Corinthians, three times in Galatians, and once in Ephesians. As compared to other motifs such as “faith” (142 times) or “promise” (26 times), “covenant” is thus scarce. Because of this, many have concluded that the concept is no longer theologically relevant for Paul, being too restrictive to convey the riches of salvation in Christ.¹ There are, of course, dissenting voices. N.T. Wright in particular has sought to show the importance of the covenant in Paul.² This has in turn been contested by James D.J. Dunn, John M.G. Barclay, and others.³

One problem in evaluating the importance of the covenant in the New Testament is the ingrained tendency of equating words with concepts.⁴ The prevalence of a concept is not measured merely by the frequency of a given term but, as Stanley E. Porter has underscored, by “a larger conceptual and grammatical framework,” including “synonyms and antonyms,” “syntactical

1 Cf., e.g., Reimund Bieringer, and Didier Pollefeyt, “Prologue: Wrestling with the Jewish Paul,” in *Paul and Judaism: Crosscurrents in Pauline Exegesis and the Study of Jewish-Christian Relations*, ed. R. Bieringer and D. Pollefeyt (London: T&T Clark, 2012), 1–14.

2 Cf. Nicholas T. Wright, *Paul and the Faithfulness of God*, vol. 4, coll. Christian Origins and the Question of God (Minneapolis: Fortress, 2013), 40–41 and *passim*. Here Wright is summarizing earlier works.

3 Cf., e.g., James D.G. Dunn, “Did Paul Have a Covenant Theology? Reflections on Rom 9:4 and 11:27,” in *The Concept of the Covenant in the Second Temple Period*, ed. S.E. Porter and J.C.R. de Roo (Leiden: Brill, 2003), 287–307; John M.G. Barclay, *Paul and the Gift* (Grand Rapids: Eerdmans, 2015), 402 and *passim*.

4 Stanley E. Porter, “The Concept of Covenant in Paul,” in Porter and De Roo, *Concept*, 271–275.

patterns, literary types, and contextual parameters such as situation and culture.”⁵ To these, I would add intertextuality, argumentative structure, and theological themes.

For the present article, I have chosen to develop one section of the Pauline corpus, the biblical-theological argument in Galatians 3–4 (the *probatio*, following various rhetorical analyses), focusing especially on Galatians 4: 21–31, the allegory of Abraham’s two “women.” I will first draw out some of the interpretive problems with this passage, then investigate how Paul develops some major structural elements and covenant motifs, first in Galatians 3–4 generally, then more pointedly in Galatians 4: 21–31. Finally, I will draw out some of the implications of this study for the concept of covenant elsewhere in the New Testament.

1 The Allegory of Abraham’s Two “Women”: An Exegetical Crux

Galatians 4: 21–31 has long been considered a problem passage. Ernest DeWitt-Burton in his 1921 commentary already considered this text as little more than “an afterthought.”⁶ Daniel Gerber goes so far as to say this:

The emphasis in 4: 21–31 is placed [...] on the inheritance reserved exclusively to the ‘sons of the free woman’ alone, but this comes at the expense of a highly forced exegesis due, no doubt, more to anger than to reason, and without which, the basic Biblical data could never lead one to the conclusions Paul draws from them.⁷

Part of the problem is the allegorical use Paul makes of Hagar and the unnamed Sarah, both of whom are made to represent “two covenants” (v. 24). It must be admitted that nothing in the Genesis story itself suggests this interpretation; one can arrive at it only by means of another agenda – which is, of course, the case in Paul.

5 Porter, “Concept,” 273.

6 Ernest de Witt-Burton, *A Critical and Exegetical Commentary on the Epistle to the Galatians*, 2nd ed., ICC (Edinburgh: T&T Clark, 1971), 251.

7 “L’insistance est placée en 4,21–31 [...] sur l’héritage réservé exclusivement aux seuls ‘fils de la femme libre’, mais cela au prix d’un tour de force exégétique certainement plus imputable à la colère qu’à la raison et sans lequel les données scripturaires de base ne pouvaient conduire à une telle conclusion.” “Ga 4,21–31 ou l’indéfinissable méthode?” in *Typologie biblique: De quelques figures vives*, ed. R. Kuntzmann (Paris: Le Cerf, 2002), 175.

In addition to this apparently arbitrary use of scripture is the quote from Isaiah 54: 1 in verse 27, which, although it does mention two women, seems to have no connection either to the Genesis account or to Abraham's two wives. In fact, the women's roles in this text appear contrary to what Paul wants to show: Isaiah 54: 1 promises that "the children of the desolate [i.e., the abandoned] woman" will be more numerous than "the children of the one who is married." In Genesis and Paul's allegory, however, the roles are opposite: Hagar – or the covenant represented by the agitators – is the one who is "abandoned," while Sarah is Abraham's legitimate wife!

The problematic character of the Isaiah quote generally led commentators of an earlier generation, but also more recent ones, to give it only passing mention before moving on to other aspects of the text.⁸ Charles K. Barrett offered a solution that has proved influential in studies on these chapters: perceiving what he considered to be a strained use of Hebrew scripture throughout Galatians 3–4, Barrett theorized that Paul brought these texts into his argument only because his Jewish-Christian adversaries had used them before him. Paul thus had to make them work to his advantage, even though, objectively, there was little that could be of use to him.⁹ Barrett's conclusion is memorable: "Paul's use of Isaiah 54.1 is [...] in a sense arbitrary; he takes from it what he brings to it."¹⁰ This obviously has consequences for how one interprets the covenants in verse 24. By and large, the mention of the covenants in this verse is not considered important for Paul's argument. Marinus de Boer typifies this idea, stating: "It is perhaps only the fact that the new preachers focus on the covenant at Sinai in their proclamation that causes Paul to speak initially of 'two covenants'; *he then drops the term as quickly as he has introduced it.*"¹¹

Interpretation of this passage, however, has evolved fairly dramatically over the last few decades, thanks in large part to Richard B. Hays's groundbreaking research on intertextuality.¹² Hays seeks to show how, time and again, Paul quotes scripture with an eye to the overall message of the original text.

8 E.g., Hans D. Betz, *Paul's Letter to the Churches in Galatia: A Commentary on Paul's Letter to the Churches in Galatia*, Hermeneia (Philadelphia: Fortress, 1979), 248–49. This tendency is noted by Jobes: Karen H. Jobes, "Jerusalem, Our Mother: Metalepsis and Intertextuality in Galatians 4:21–31," *Westminster Theological Journal* 55 (1993), 303.

9 Charles K. Barrett, "The Allegory of Abraham, Sarah, and Hagar in the Argument of Galatians," in *Rechtfertigung: Festschrift für Ernst Käsemann zum 70. Geburtstag*, ed. J. Friedrich, P. Wolfgang, and P. Stuhlmacher (Tübingen: Mohr, 1976), 1–16.

10 Barrett, "Allegory," 16.

11 Marinus C. de Boer, *Galatians: A Commentary*, NTL (Louisville: Westminster John Knox, 2012), 298n426 (my italics).

12 Richard B. Hays, *Echoes of Scripture in the Letters of Paul* (New Haven: Yale University Press, 1989).

More specifically, Hays brings into the discussion the practice of *metalepsis*, whereby a quote from scripture – which may consist merely of one or two verses – carries with it major thoughts and motifs of the source text. The quote functions as a window into the context of the cited text, thereby exercising an influence on how the receptor text is to be understood. This brought Hays to reread Galatians 4: 21–31, taking into account the message of Isaiah 40–55, thus moving interpretation beyond some of the traditional impasses. Hays’s work has since been taken up and furthered by Karen Jobes,¹³ Joel Willitts,¹⁴ Steven DiMattei,¹⁵ and others.¹⁶

In my opinion, taking into account Paul’s intertextual cues is a major key to understanding Galatians 4: 21–31. But it also helps sort out what he says about the “two covenants” and, more generally, how he sees the relationship between Christ’s coming and end-times covenant-expectations in Jewish scripture. In order to grasp the import of Galatians 4: 21–31, one must thus take into consideration *a triple context*: that which Paul develops in his letter to the Galatian churches and Genesis 16–21, but also the message of Isaiah 40–55.

2 Paul’s Argument in Galatians 3–4: Historical and Literary Issues

2.1 *The Context and Structure of Galatians 3–4*

The historical context of Galatians is well known. Jewish-Christian teachers, based most likely in Judea, had come into the Galatian churches, claiming that non-Jewish believers needed to be circumcised.¹⁷ Their argument probably ran like this:

1. Abraham received circumcision as the sign of God’s covenant; this covenant was expanded at Sinai by the gift of the Torah;

¹³ Jobes, “Jerusalem,” 299–320.

¹⁴ Joel Willitts, “Isa 54,1 in Gal 4,24b–27: Reading Genesis in Light of Isaiah,” *Zeitschrift für die Neutestamentliche Wissenschaft* 96 (2005), 188–210.

¹⁵ Steven Di Mattei, “Paul’s Allegory of the Two Covenants (Gal 4.21–31) in Light of First-Century Hellenistic Rhetoric and Jewish Hermeneutics,” *New Testament Studies* 52 (2006), 102–22.

¹⁶ Cf. also Jason C. Meyer, *The End of the Law: Mosaic Covenant in Pauline Theology*, New American Commentary Studies in Bible & Theology (Nashville: B&H, 2009), 128–30. In the last several years, there has been a renewed interest in this passage, and a burgeoning literature, which the space of this article does not permit to enumerate or interact with.

¹⁷ The present section summarizes several elements that are developed in greater detail in Donald E. Cobb, “What Paul Says About the Covenants in Galatians,” *Unio Cum Christo* 1.2 (2016), 173–94.

2. Jesus, the messiah, renewed the covenant by his death and resurrection, and God poured out his Spirit upon faithful Jesus followers, i.e., the true “sons of Abraham”;
3. Since circumcision remains the sign of the covenant, non-Jews become “sons of Abraham” through faith in Christ and circumcision; and they are to live, as do Jewish believers, by taking upon themselves the yoke of the Torah.
4. Uncircumcised Gentile believers, therefore, are not members of the covenant and do not have access to God’s righteousness and salvation which are at the heart of the covenant.

As Paul’s vocabulary shows, the crux of the matter revolves around the status of “sons of Abraham,” an expression which, in rabbinic literature, designates faithful members of the covenant.¹⁸ There is thus every reason to believe that the “agitators’” argument revolved around circumcision *as a means of entry into the covenant*.¹⁹ Realizing this, one should notice that Paul’s major statements in chapters 3: 1–4: 7 focus on *the Spirit* and *sonship*, two prominent themes in biblical and Second Temple descriptions of God’s end-times covenant:

1. *Galatians* 3: 1–5: The Galatians have received the Spirit (promised for the eschatological covenant in Ezek. 36–37 and Isa. 44);
2. *Galatians* 3: 26–29: Because they are “in Christ,” the Son of God, they too have become sons of God (corresponding to the covenant promise in Hosea: “They will be called sons of the living God”).

The thrust of Paul’s argument, therefore, is this: since the Galatian believers have already received the promised Spirit and become “sons of God,” they are, *a fortiori*, sons of Abraham,²⁰ members of the eschatological covenant, and so have no need of circumcision to become part of that covenant or obtain its righteousness. Significantly, these affirmations bracket the overall argument in chapter three, the rest of that chapter, and the beginning of chapter four, drawing out their biblical rationale.

Understanding the major structural elements of *Galatians* 3: 1–4: 7 can also give insight into the role the covenant plays in Paul’s argument. After an introductory section (*Gal.* 3: 1–5) comprised of a series of questions – clinching, in fact, the entire argument – Paul draws attention to a historical succession of

18 Cf., in particular, Lawrence H. Schiffman, “The Rabbinic Understanding of Covenant,” *Review and Expositor* 84 (1987), 289–98.

19 Thus, e.g., Thomas R. Schreiner: “Circumcision was not conceived in Judaism or by the Judaizers as necessary to *continue* one’s devotion to God. It was required to *belong* to the people of God”; *Galatians*, Zondervan Exegetical Commentary on the New Testament (Grand Rapids: Zondervan, 2010), 177–78 (italics in the original).

20 *Gal.* 3: 29.

events: promise to Abraham, Law, fulfillment of the promise in Christ and the gift of the Spirit (Gal. 3: 6–14). He then *reprises* these elements in verses 15–29, replacing the Spirit with sonship and inheritance in Christ. Galatians 4: 1–7 again takes up this progression, leaving aside the mention of Abraham, but drawing together the previous mentions of the Spirit and the inheritance. Paul's argument is thus a "triptych," repeating a basic historical pattern, progressively introducing complementary aspects (see Annex 1). Several additional comments may be offered:

1. In his initial presentation of the historical pattern (3: 6–14), Paul advances his argument by quoting a series of texts from Hebrew scripture. Several of these can fairly be considered "covenant texts," i.e., passages in which the immediate or larger context explicitly mentions and develops the idea of covenant (Gen. 15; Deut. 27; Lev. 18: 5).²¹ In the following sections of the triptych, Paul will no longer quote from scripture, although he will allude to similar passages on several occasions.
2. It thus follows that, when Paul takes up the historical pattern anew in Galatians 3: 15–17 after quoting (v. 6) from Genesis 15, the mention of God's covenant – his *διαθήκη* – with Abraham is specifically the one narrated in that chapter of Genesis. This is confirmed by the seemingly superfluous mention, in v. 17, of the fact that the covenant was made four hundred *and thirty* years before the giving of the Law: in Second Temple and Rabbinic Judaism, this was the period separating the covenant in which YHWH passed between the animals, Genesis 15, and the gift of the Torah on Mount Sinai.²² By means of this chronological detail, Paul subtly drives his point home: this – and *not* the circumcision ritual in Genesis 17, which is passed by in silence – is the foundational covenant moment. The *διαθήκη* here, as many commentators recognize, is thus the Abrahamic *covenant*, although Paul also plays on the testamentary connotations of the term, which he then develops in verses 18–29.
3. Through the second presentation of the chronological succession "Abraham-Torah-Christ" (vv. 15ff.), Paul highlights the fact that, as defined

21 As we will see, this can also be said of Isa. 54: 1. Significantly, several of these texts function elsewhere in Second Temple Judaism as important summaries of the content of the Torah (Lev. 18: 5) or, in e.g. the Dead Sea Scrolls, of central covenant practices and aspirations (Gen. 15: 6; Deut. 28: 27; Isa. 54: 1).

22 Cf. Marc Rastoin, *Tarse et Jérusalem: La double culture de l'Apôtre Paul en Galates* 3, 6–4, 7, AnBib 152 (Rome: Pontificio Istituto Biblico, 2003), 189–90, and David Daube, *New Testament and Rabbinic Judaism* (London: Athlone, 1956), 440. This interpretation is already presupposed in Exod. 12: 40 in LXX and the Samaritan Pentateuch, as well as Josephus, *AJ* 2.318.

by Genesis 15, the Abrahamic *διαθήκη* cannot be invalidated or modified in its *modus operandi* by the later-coming Torah – which includes circumcision. The covenant with Abraham, understood first of all as “promise,” defines the use, and the limits, of the law and not *vice versa*.²³

4. It should further be noticed that not only does the second part of the triptych (3: 15–29) extend the historical succession and overall perspective of the first (3: 6–14), but further, the final section (4: 1–7), repeating this viewpoint, also builds on the testamentary images developed in the second section. The “children” in verses 1–2 are those not yet having attained the age of majority, when they receive the inheritance provided by testamentary stipulation.²⁴
5. Throughout the whole of Galatians 3: 1–4: 7, Paul thus seeks to counter the agitators’ covenant argument with an alternative argument, also based on covenant. He first highlights God’s covenant (*διαθήκη*) with Abraham in Genesis 15, then illustrates it with motifs drawn from testamentary practices. The *διαθήκη* – understood as “covenant” and illustrated as “testament” – is, therefore, one of the more central concepts of this passage, along with *the promise*, which defines its specific content.

2.2 *The Literary Context and Rhetorical Function of Galatians 4: 21–31*

How does Galatians 4: 21–31 function in the context of the *probatio*? After an emotionally charged plea in 4: 8–20, featuring the rhetorical devices of *ethos*, *pathos*, and *filia*, Paul returns to a biblical-theological approach in verses 21ff. In this section, he brings together the major threads developed up to this point in a kind of *peroratio*, or final case: life “under the Law” (v. 21) and “according to the flesh,” as contrasted with the promise of God (v. 23); the eschatological covenant distinguished from the Sinai covenant (v. 24);²⁵ the status of believers as “Abraham’s sons” (v. 22), “children of the promise” (v. 28) and heirs (v. 30), engendered by the Spirit (v. 29); servitude to the Law (vv. 24–25) as opposed to the freedom now given in Christ (v. 30–31). Topping off this climactic section, Paul gives scripture itself pride of place and allows it to utter the final, decisive word to the Galatians: “Cast out the slave woman and her son, for the son of the slave woman shall not inherit with the son of the free woman!” (Gal. 4:

23 Correctly recognized by J.M.G. Barclay, *Paul and the Gift*, 402–4, and *passim*.

24 Cf. John K. Goodrich, “‘As Long as the Heir is a Child’: The Rhetoric of Inheritance in Galatians 4:1–2 and P.Ryl. 2.153,” *Novum Testamentum* 55 (2013), 61–76.

25 The covenant represented by Sarah is often understood as the Abrahamic covenant rather than the eschatological (or “new”) covenant: e.g., R.B. Hays, *Echoes*, 114–15; K.H. Jobes, “Jerusalem,” 316–17. As will be shown, contextual considerations more likely plead for an identification with the eschatological covenant prophesied in Isaiah.

30, quoting Gen. 21: 10) The whole of the passage carefully picks up the main ideas and vocabulary of Galatians 2: 14–4: 20, bringing the biblical-theological argument to its conclusion. The linguistic ties with the preceding sections are striking, as can be seen in Annex 2. Graham Stanton correctly observes:

The link between the law and slavery had already been established in 3:22–4 and 4:1–10; the contrast between circumcision – law – slavery, and freedom in Christ Jesus had already been drawn in 2:3–4. The Hagar-Sarah allegory is no mere awkward appendix; it recalls one of the passages in the narrative section of Galatians, and brings to a climax the argument Paul has been developing since 2:15–16.²⁶

By way of parenthesis, we should point out that, given the rhetorical function of the passage as *peroratio*, the mention of the “two covenants” in verse 24 is highly significant. As Paul draws this part of Galatians to a close, he again brings the διαθήκη to the fore, opposing the Sinai (or “Hagar”) covenant, characterized by circumcision, with the covenant for which he ministers, characterized by the Spirit. Against the agitators’ claims that the Galatian Gentiles must be circumcised in order to enter the covenant, Paul states that they have already been begotten by the promised eschatological covenant, through the work of the Spirit and Paul’s own birthing ministry.

Having said that, Galatians 4: 21–31 is not merely a restatement of previous themes. It also introduces decisive new elements. In order to demonstrate this, I will develop R.B. Hays’s insights into intertextuality and explore the literary context of the Isaiah text quoted in verse 27.

2.3 *The Context of Isaiah 40–55*

As we turn to Isaiah 40–55, the prophetic voice proclaims that the exile God’s people is experiencing in Babylon is nothing less than the judgment by which God has “divorced” his people. Lady Jerusalem has become a “barren widow” at the hands of her enemies, deprived of her husband (YHWH) and her children (population). Yet, in this context of powerlessness and humiliation, the prophet paints the picture of a glorious future: YHWH will once again take Zion as his bride;²⁷ he will intervene as he had done long ago, delivering his people out of captivity by means of a new exodus, and lead them through the desert to their

²⁶ Graham N. Stanton, “The Law of Moses and the Law of Christ,” in *Paul and the Mosaic Law*, ed. J.D.G. Dunn (Tübingen: Mohr Siebeck, 1996), 109.

²⁷ Isa. 51: 17–23.

land.²⁸ The barren city will thus be rebuilt and repopulated.²⁹ Lady Babylon, on the other hand, the city who boasts she will never be widowed, will be reduced to captivity, deprived of her population (her “children”).³⁰ Beyond this, though, God promises to pour out his blessing on Lady Zion and her children. So we read: “I will put my spirit on your offspring and my blessings on your children.”³¹ In that same context, we read: “By the Lord shall they be justified, and all the offspring of the sons of Israel shall be glorified in God.”³² Perhaps most surprisingly the children of redeemed Jerusalem, to whom God himself will give birth, will be so numerous that they will not be able to be counted:

For your sons whom you have lost will say in your ears: ‘The place is too narrow for me; make a place for me so that I may settle.’ Then you will say in your heart, ‘Who has begotten me these (Τίς ἐγέννησέν μοι τούτους)? But I was childless and a widow, so who has reared these for me?’³³

Further on, Jerusalem is exhorted to remember God’s sovereign multiplication of Abraham’s offspring; her present situation is compared to the Matriarch Sarah’s:

Hear me, you that pursue what is righteous (οἱ διώκοντες τὸ δίκαιον), and seek the Lord. Look to the solid rock that you hewed and to the hole of the pit that you dug. Look to Abraham your father and to Sarah who bore you (εἰς Σαρραν τὴν ὠδίνουσαν ὑμᾶς); because he was but one, then I called him and blessed him and loved him and multiplied him.³⁴

Just as God produced a multitude of sons for Abraham through childless Sarah, so will he raise up a multitude of children for barren Jerusalem.³⁵ Several hints

²⁸ Isa. 43: 1–3, 16–17; 48: 20–21; 51: 9–10, etc.

²⁹ Isa. 49: 17.

³⁰ Isa. 47: 8–9.

³¹ Isa. 44: 3–4. The Old Greek (or LXX, henceforth OG) translates ἐπιθήσω τὸ πνεῦμά μου ἐπὶ τὸ σπέρμα σου καὶ τὰς εὐλογίας μου ἐπὶ τὰ τέκνα σου. All OG quotations are taken from the *New English Translation of the Septuagint* unless otherwise specified (the proper names have, however, been modified to conform them to their usual spellings).

³² Isa. 45: 25 (δικαιωθήσονται καὶ ἐν τῷ θεῷ ἐνδοξαστήσονται πᾶν τὸ σπέρμα τῶν υἱῶν Ἰσραὴλ).

³³ Isa. 49: 20–21.

³⁴ Isa. 51: 1–2.

³⁵ Joseph Blenkinsopp, *Isaiah 40–55: A New Translation with Introduction and Commentary*, AB 19a (New York: Doubleday, 2000), 233. Blenkinsopp emphasizes the presence of the divine promise to Abraham throughout Isaiah 40–66. He writes: “The Abrahamic blessing runs like a strong undercurrent throughout this entire second part of the book. If Israel

in these chapters even suggest that the exponential increase of Zion's offspring will be the result of the ingathering of the ἔθνη, the non-Jewish nations.³⁶

We should note, additionally, that John Goldingay has adumbrated no fewer than six different meanings for Zion or Jerusalem in these chapters: the material city, a personification of the desolate city, the people of Israel as a whole, the population of Jerusalem left behind during the exile, the population of Jerusalem carried off to Babylon, and, finally, an entity which distinguishes itself from Jerusalem's inhabitants. In this last category, "Lady Zion" is "a locus of safety, security and strength, independently of its material embodiment and independently of its inhabitants. This is [...] because of YHWH's commitment to it, a commitment that stands prior to any particular embodiments."³⁷ This understanding is particularly present in Isaiah 54, where Lady Zion represents the redeemed people's eschatological situation.

Significantly, the covenant plays an important role in all this. From the opening words of Isaiah 40, the covenant formula is alluded to: "Comfort *my people*, says *your God*."³⁸ Isaiah 54: 10, the same passage from which Paul quotes, looks forward to the end-times covenant. There, YHWH says: "Neither shall the mercy that comes from me to you fail, nor shall the covenant of your peace be removed (οὐδὲ ἡ διαθήκη τῆς εἰρήνης σου οὐ μὴ μεταστῇ)." Isaiah 55 further specifies that God's deliverance will be the expression of his covenant promises to David: "I will make with you an everlasting covenant (διαθήκην αἰώνιον), the sacred things of David that are sure."³⁹

In its canonical context, this covenant is, in fact, inseparably bound up with the servant whose work and sufferings are repeatedly mentioned in these chapters. One need only think of Isaiah 49: 8, where, in most of the OG manuscript tradition, God says to his servant: "In an acceptable time I listened to you, on the day of salvation I helped you; I gave you as *a covenant to the nations* (καὶ ἔδωκά σε εἰς διαθήκην ἐθνῶν), to establish the land, and to inherit an abandoned

had obeyed, their descendants would have been like the sand of the seashore (48:18–19 cf. Gen 22:17; 32: 17); Abraham and Sarah were blessed and made many (51:2); the people will be all righteous, like Abraham, and will inherit the land as a mighty nation (60: 21–22 cf. Gen 12: 2; 15: 6); their descendants will be known among the nations as a people blessed by Yahweh (61: 9)."

36 Isa. 42: 1, 4, 6; 49: 6–8; 51: 4–5; 52: 10, 15; 54: 3; 55: 4–5.

37 John Goldingay, *The Message of Isaiah 40–55: A Literary-Theological Commentary* (London: T&T Clark, 2005), 384–85.

38 Isa. 40: 1 (ESV). OG is, however, more succinct: "Comfort, O comfort my people, says God (παρακαλεῖτε παρακαλεῖτε τὸν λαόν μου, λέγει ὁ θεός)."

39 Isa. 55: 3.

heritage (κληρονομήσαι κληρονομίαν ἐρήμου).⁴⁰ This reading gives a more universal perspective on the servant's work than that preserved in the Masoretic Text and Qumran: "I will keep you and give you as a covenant *to the people*."⁴¹ In chapter 53, God rewards his servant's suffering with a "long-lived offspring" (σπέρμα μακρόβιον, 53: 10). Immediately following this, and as a direct consequence, barren Jerusalem is called to "rejoice": "Rejoice, O barren one who does not bear (ἡ οὐκ ὠδίνουσα); break forth and cry aloud, you who are not in labor! For the children of the desolate one will be more than those of the one who has a husband."⁴² Chapters 54–55, in fact, come as the culminating section of this part of Isaiah, describing the new situation wrought by the servant's suffering and obedience. In a sense, Isaiah 54: 1 is nothing less than the jubilant conclusion of everything said up to this point.⁴³

This last point is particularly important for understanding Paul's hermeneutical techniques; as in Galatians 3: 6–14, close inspection reveals that his choice of citations is not based merely on common vocabulary or formal links. Rather Paul takes up texts that function, in scripture as well as in Jewish traditions of the period, as key theological statements.⁴⁴ This in turn suggests that his recourse to these texts is based not merely on the needs of the moment or arguments of his adversaries, but also (primarily?) on a traditional Jewish understanding and application of scripture, reread through the lens of its messianic fulfillment in Jesus of Nazareth.

3 The Two Covenants in Galatians 4: 21–31

3.1 *Galatians 4: 21–31 in the Light of Its Double Context*

Traditionally, interpretation of Galatians 4: 21–31 has begun with the Genesis story and, from there, tried to make sense of the passage's details. The results, as we have seen, have generally been unsatisfactory. A more promising approach is to *start* with the Isaiah text, taken in its literary context, and work our way out from that vantage point.

40 Our translation, following the Rahlfs-Hanhart and Göttingen editions (ℵ* adhering more closely to the Hebrew, reads διαθηκὴν γενοῦς εἰς φῶς). See also Isa. 42: 6; 49: 6.

41 עַם לְבָרִיתָהּ אֲנִי וְאַתָּה יְיָ

42 Isa. 54: 1.

43 So Claus Westermann, *Isaiah 40–55*, 8th ed., trans. David M.G. Stalker, OTL (London: SCM, 1990), 271; J. Goldingay, *Isaiah 40–55*, 522, *et alii*.

44 In the Dead Sea Scrolls, Isaiah 54 is quoted in 4QSD, frag. 1, lines 2–6 and 4Q164, the description of redeemed Zion being applied to the *yahad*'s present, eschatologically oriented existence.

This is true, both on the level of details and the overall picture. John Louis Martyn has highlighted the discrepancy between the birthing vocabulary Paul uses in connection with Abraham's two women (and the covenants they represent), and that found in Genesis. According to Martyn, Paul intentionally avoids τίκτω, the verb used in the Abraham narrative,⁴⁵ preferring instead γεννάω which he uses elsewhere to highlight his own ministry. He thus opposes, not two covenants per se, but his and his adversaries' respective missionary activities.⁴⁶ Although it is quite true that Paul uses γεννάω elsewhere to refer to his apostolic ministry,⁴⁷ its presence here – and perhaps elsewhere in Paul – is better explained by its use in Isaiah 40–55 in connection with God's promise to beget (γεννάω) innumerable children (τέκνα or υἱοί) to Redeemed Jerusalem.⁴⁸ We should remember that this will result from God pouring out his Spirit and blessing on Israel's offspring (τὸ σπέρμα σου).⁴⁹ Realizing that one of Paul's preferred sections of Jewish scripture is the book of Isaiah, particularly chapters 40–55,⁵⁰ it should hardly come as a surprise that he perceived in this promise an announcement of what God was now doing among the nations: begetting innumerable children of Abraham through the gift and activity of the eschatological Spirit and his own gospel proclamation.

More generally, we have seen that Lady Zion in Isaiah 40–55 is at once a city, a redeemed people and an embodiment of the covenant relationship. This is nowhere more evident than in Isaiah 54, where redeemed Jerusalem and her "offspring" spread out to inherit the nations (vv. 2–3).⁵¹ As a consequence of God's covenant of peace (v. 10), Jerusalem will be adorned with blessing (vv. 11–13) and righteousness (ἐν δικαιοσύνῃ, v. 14). But from there, it is only a short step to say, as Paul does in Galatians 4: 27, that redeemed Jerusalem – or "the Jerusalem above" – herself embodies the eschatological covenant begetting children beyond number to Abraham; she does it, not through circumcision – the practice is never mentioned in Isaiah – but by God's promise.

45 Gen. 16: 1–2, 11, 15–16, 17: 17, 19, 21, etc.

46 John Louis Martyn, "The Covenants of Hagar and Sarah: Two Covenants and Two Gentile Missions," in *Theological Issues in the Letters of Paul* (Edinburgh: T&T Clark, 1997), 197–98.

47 1 Cor. 4: 15; Philem. 10.

48 Isa. 49: 20–21.

49 Isa. 44: 3–4.

50 Cf., e.g., Dietrich A. Koch, *Die Schrift als Zeuge des Evangeliums: Untersuchungen zur Verwendung und zum Verständnis der Schrift bei Paulus*, BHTh (Tübingen: Mohr-Siebeck, 1986), 33; R.B. Hays, "Who Has Believed Our Message? Paul's Reading of Isaiah," in *The Conversion of the Imagination: Paul as Interpreter of Israel's Scripture* (Grand Rapids: Eerdmans, 2005), 25–49.

51 Καὶ τὸ σπέρμα σου ἐθνη κληρονομήσει. Cf. v. 17.

From whence comes the identification between Sarah and “the Jerusalem above”? As already noted, the Isaiah text itself furnishes that connection.⁵² But from this vantage point, it requires little further imagination to say that, if Sarah can represent redeemed Zion and her new covenant situation, Hagar can also be taken to represent *another covenant*, producing a posterity who also claim to be “sons of Abraham.” Given this starting point, allegorizing the Genesis story makes perfect sense. Paul’s polemic centers on the question: do the Galatian believers belong to the covenant or do they need to become “sons of Abraham” through circumcision? In Galatians 3: 1–4: 7, Paul developed the main elements of his response; here, he drives his point home by showing that, already in Genesis, there are *two kinds of “sons of Abraham,”* begotten by two covenants. As in the patriarchal story, one of these women – covenants is a “maidservant,” subservient to the promise; the other, the “free woman,” embodies the promise. Logically, the inheritance cannot come to the children of the maidservant, the bonded concubine, but only to those who have been begotten by the free woman, i.e., the eschatological Spirit – covenant.

Given the difficulties often pointed out in connection with Paul’s geographical assertion in verses 24–25,⁵³ a few words of explanation may be helpful here. M. de Boer sums up the puzzled reaction of a number of commentators, when he writes: “How Paul comes to the astonishing identification of Mount Sinai, and thus the covenant of the Law, with Hagar is not easily discernable. [...] Verse 25a appears to be a parenthetical *if obtuse attempt* to explain the identification of Hagar with Mount Sinai.”⁵⁴ Different attempts have been offered to explain this, most notably the suggestion that Paul is making a somewhat gratuitous word association, linking Hagar with the place-name *Hagr’a* (in Aramaic), located in Petra, i.e., in Arabia.⁵⁵ In reality, a much more natural solution exists; in first century CE geography, “Arabia” included what is today

52 Thus also, e.g., Di Mattei: “[...] Since Paul and his community had envisioned themselves as living in the end of days, it was only natural to see in Isa 54.1 a prophetic announcement which spoke of their own particular community as Isaiah’s righteous ones. The Gentiles are thus seen as the heirs of the New Jerusalem because, according to Paul’s reading of Isaiah, this is exactly what the prophet speaks of at every turn of the page: the Nations shall be justified and assembled in the end of days. Moreover, the prophet himself declares that Jerusalem’s *seed* shall inherit the Nations”; “Allegory,” 115–16.

53 “One [covenant] is from Mount Sinai, bearing children for slavery; she is Hagar. Now Hagar is Mount Sinai in Arabia.”

54 De Boer, *Galatians*, 299–300. (italics added).

55 M. McNamara, “Τὸ δὲ (Ἀγάρ) Σινᾶ ὄρος ἐστὶν ἐν τῇ Ἀραβίᾳ (Gal. 4.25a): Paul and Petra,” *Milltown Studies* 2 (1978), 24–41, and M.G. Steinhauser, “Gal. 4.25a: Evidence of Targumic tradition in Gal. 4.21–31,” *Biblia* 70 (1989), 234–40, since taken up by several others.

known as the Sinai Peninsula. This can be seen, for instance, in Josephus's description of the descendants of Ishmael:

When the lad was grown up, he married a wife, by birth an Egyptian, from where the mother was herself derived originally. Of this wife were born to Ishmael twelve sons [...] These inhabited all the country *from Euphrates to the Red Sea*, and called it Nabatene. These comprise *the nation of the Arabs* (εἰσὶ δὲ οὗτοι οἱ τὸ τῶν Ἀράβων ἔθνος), and name their tribes from these, both because of their own virtue, and because of the dignity of Abraham.⁵⁶

Josephus's description effectively includes the region of Sinai – located between the Euphrates and the Red Sea – as part of “Arabia” and connects it with Abraham's elder son. The geographer Strabo, writing practically a century earlier, already makes this identification, so we can assume it was widespread.⁵⁷ Paul is thus merely underscoring an established connection between Hagar and her descendants, and Mount Sinai in Arabia. The theological conclusions he draws, though, would have been as shocking to Jewish ears as the geographical identification was incontrovertible: Mount Sinai, its covenant, and its Law, are *not* to be associated with the full inheritance of sons and the Spirit. With Christ's coming, and the fulfillment of the promise through him, they can now only be identified with slavery, a provisional status, and the flesh! Again, the primary impetus for identifying Hagar with the Sinai covenant almost certainly stems from the prior identification between Sarah and the eschatological covenant, based on Isaiah 51: 1ff. But the geographical data close to hand lend themselves admirably to drawing out what Paul sees as a confirmation of his allegorical interpretation of Genesis.

The Isaiah text, set in its overall context, additionally explains the reference Paul makes to “the present Jerusalem (τῇ νῦν Ἰερουσαλήμ).”⁵⁸ Although this is sometimes seen as a thinly veiled expression of scorn for the Jerusalem church, it should rather be understood against the backdrop of the “Jerusalem above.” Just as Sarah represents the eschatological covenant, which Paul identifies with redeemed Jerusalem in Isaiah 54, so Hagar can logically be made to represent non-redeemed Jerusalem, i.e., Zion, embodying Torah, circumcision, and the inchoate status of servitude.

⁵⁶ Josephus, *AJ* 1.220–221 (translation slightly modified). See also De Boer, *Galatians*, 300.

⁵⁷ Strabo, *Geographica* 16: 3,1; 17: 1, 21; 2: 5, 32, etc.

⁵⁸ Gal. 4: 25.

The whole allegory, therefore, comes from drawing together three argumentative strands: the Isaianic imagery, the Genesis story, and the covenant status defined as “sons of Abraham.” S. Di Mattei sums it up in this way:

Paul’s hermeneutic must be seen in light of Isaiah’s own use of the Abrahamic promises. [...] It is through Isaiah’s portrayal of Jerusalem (above) as barren and through his linking together the theme of Zion’s joy, since soon this barrenness will show itself as plenitude, with the covenant promises made to Abraham and his seed, that Paul is able to see in Genesis 16–17 an allegory of two covenants. Isaiah’s exhortation to Jerusalem to rejoice in the new covenant is allegorically represented in God’s proclamation to Abraham and Sarah that she shall not go childless.⁵⁹

Need one clarify – as many recent commentators have done – that Paul is not mounting a polemic against Judaism *per se*? The epistle’s contextual clues leave no doubt that the argument is aimed against Judeo-Christian agitators who are pressing Gentile believers to be circumcised. Paul *is*, however, stressing what he considers to be the superiority of the eschatological “new” covenant to that of the Law. Whereas his adversaries operated from the perspective of a simple accumulation – the Abrahamic covenant supplemented by the Sinaitic, itself supplemented by the eschatological covenant in Christ – Paul seeks to show that such a view ends in an impasse. The promise defining the Abrahamic covenant – i.e., the blessing of justification for the nations, the gift of the Spirit, the inheritance of God’s “sons” –, that is all now given in Christ, apart from the Law covenant. In this final extended argument, Paul thus brings out, with other motifs and images, the same fundamental ideas for which he had already argued in Galatians 3: 1–4: 7.⁶⁰

Finally, it is worthwhile noting that several elements in the overall argument of Galatians 3: 1–4: 7 may also suggest connections with Isaiah 40–55. In the eschatological situation brought about by Christ’s death, Gentiles (ἔθνη) have become “Abraham’s offspring” (τοῦ Ἀβραάμ σπέρμα).⁶¹ Through Christ, they have been “justified,” an affirmation closely paralleling Isaiah’s statements.⁶² In Galatians 3: 13–14, Paul states that Christ became a curse so that the Gentiles might receive the Spirit, an allusion to prophetic promise: no doubt

59 Di Mattei, “Allegory,” 102–22.

60 This point is well recognized by, e.g., R.B. Hays in *The Letter to the Galatians, Introduction, Commentary and Reflections*, NIB (Nashville: Abingdon, 2002), 303.

61 Gal. 3: 29.

62 Isa. 41: 8; 45: 25.

Ezekiel 36–37, but also quite possibly Isaiah 44: 3, the only passage in Jewish scripture bringing together the terms “Spirit,” “blessing,” and “offspring.”⁶³ So one may well conclude that the explicit reference to Isaiah in Galatians 4: 27 is prepared – at least in part – by thematic links that stretch back to the beginning of Paul’s argument in chapter 3.⁶⁴

4 Conclusion: Towards a Greater Relevance of Covenant for the New Testament?

An investigation into aspects of the biblical-theological argument in Galatians, taking intertextual considerations into account, suggests that the mentions of the διαθήκη in Galatians 3: 15–17, and the “two covenants” in 4: 24 are much more than the perfunctory reprisal of a term used by Paul’s adversaries. Galatians 4: 21–31, in particular, is Paul’s clinching argument based on scripture that the Galatian Christians are members of the eschatological covenant established by Christ’s death. They have been begotten by the Jerusalem above, the covenant characterized by God’s promise, and empowered by the end-times Spirit. Once again, Paul responds to his adversaries’ argument, not by denying the

63 Thus also Jobes, “Jerusalem,” 311–12.

64 It would be worthwhile to compare Paul’s argument in these chapters with the one he makes in a not altogether different context in 2 Cor. 3. There, Paul contrasts his “new covenant” ministry with that given through Moses (2 Cor. 3: 3–11). Alluding to Jer. 31: 30–31, as well as Ezek. 36–37 and Exod. 34, Paul compares the Mosaic law-covenant (explicitly labeled as such in v. 14: τῇ ἀναγνώσει τῆς παλαιᾶς διαθήκης) with the “new covenant”: a covenant of life (v. 6), righteousness (v. 9), and God’s Spirit (vv. 3, 6, 8, 17–18). Most strikingly, this new covenant, because of God’s end-times Spirit, bestows the gift of “freedom” to believers: “Now the Lord is the Spirit, and where the Spirit of the Lord is, there is freedom” (2 Cor. 3: 17; cf. Gal. 4: 22–23, 26, 30–31). Witherington and others have cautioned against using this text to interpret Gal. 4: 21–31, on the grounds that the Galatians could not have had access to this letter; see Ben Witherington III, *Grace in Galatia: A Commentary on Paul’s letter to the Galatians* (Edinburgh: T&T Clark, 1998), 331. The point is well taken but is hardly decisive; what is significant is that, in similar situations and – probably – within a fairly short period of time, Paul can describe his ministry using similar or identical terms and concepts, alluding to similar or identical texts from scripture. A comparison between Galatians and Romans shows what one could reasonably assume (and probably would, in a study of someone other than Paul!): i.e., Paul does not create arguments *de novo* each time he is confronted with a new crisis. Rather, he builds on a stable base of convictions, concepts, and scriptures, and applies them, albeit creatively, to the specific situation at hand. This, however, suggests that the core ideas in Gal. 3–4 and 2 Cor. 3 are the same, and that the latter thus offers a strong confirmation of the ideas developed here in connection with Gal. 4: 21–31.

covenant, but by advancing a different covenantal argument, one based on Spirit and promise, rather than on circumcision and Torah.⁶⁵

How can this exegesis further the discussion on covenant in the New Testament? In Pauline theology, E.P. Sanders, in the 1970's, pioneered the idea that the fundamental pattern of first century Palestinian Judaism was that of "covenantal nomism"; Paul broke loose from this pattern, highlighting instead participationist motifs: belonging to Christ, being members of his body, etc. Sanders's work became highly influential in reinforcing the thought that since Paul rarely uses the term covenant, the concept is of negligible importance for understanding his Gospel.⁶⁶ This is not the place to enter into a discussion of Sanders's concept of covenantal nomism, which has been much commented on elsewhere. I would merely draw attention to the fact that, interestingly, Sanders himself writes:

[...] One can already see in Paul how it is that Christianity is going to become a new form of covenantal nomism, a covenantal religion which one enters by baptism, membership in which provides salvation, which has a specific set of commandments, obedience to which (or repentance for the transgression of which) keeps one in the covenantal relationship, while repeated or heinous transgression removes one from membership.⁶⁷

Sanders further states that there is "a good deal to be said for the view that Christianity is a new covenant which, once established [...], does function somewhat as does the old."⁶⁸ I would demur from several details in Sanders's description of what he takes to be the usual aspects of Christianity – or, for that matter, from "covenantal nomism," at least in the way the Hebrew scriptures describe covenant. What is striking, however, is his recognition that the covenantal pattern present in Judaism is not, finally, antithetic to the way the New Testament, and Paul in particular, describe life in relation to Christ and the church.

65 Cf. G. Walter Hansen for a similar conclusion, in *Abraham in Galatians: Epistolary and Rhetorical Contexts*, JSNTSup 29 (Sheffield: Sheffield Academic Press, 1989), 162–63.

66 Ed P. Sanders, *Paul and Palestinian Judaism: A Comparison of Patterns of Religion* (London: SCM, 1977), 514.

67 Sanders, *Judaism*, 513.

68 Sanders, *Judaism*, 513.

Morna Hooker's oft-quoted article remains important for this whole question.⁶⁹ According to Hooker, Paul's language evinces the same basic pattern as Second Temple Judaism. The major difference is not that one is participationist and the other covenantal, but that the specific elements making up similar "patterns of religion" have changed.⁷⁰ In both Judaism and Christianity, there is one basic pattern: *covenant/promise*, calling forth *fulfillment/faith*.⁷¹ Hooker interprets Paul's overall argument in Galatians 3–4 in this way:

The covenant on Sinai and the Mosaic Law, which form the heart of Judaism, are now seen as an interlude, sandwiched between the promises and their fulfilment. But the election of Abraham, and the promises made to him – which cannot fail – are part of God's covenant to Israel, and come to their conclusion with the 'new' covenant in Christ's death.⁷²

This brings us to a more pointedly theological question: how does Paul define the διαθήκη? The ideas developed in the present article are incomplete, even with regard to Paul's message in Galatians 3–4. We can, however, say at least this by way of summary: in these chapters, *God's promise*, responded to in *faith*, is decisive. Given both the distinction and the intimate connection between covenant and promise (Gal. 3: 15–17), we could say that covenant is the concrete form of the promise – which also ensures its fulfillment – and the framework in which faith and obedience are to flourish.⁷³ This is true for the covenant with Abraham as well as the eschatological "new" covenant, which is the former's fulfillment and full flowering. What does the covenant promise entail? Paul speaks of the promised blessing to the nations: specifically, justification, the gift of the Spirit, and participation in eschatological "life." The later-coming Sinai covenant does not contradict this, but takes place alongside the Abrahamic covenant until Christ's coming, provisionally defining sin and obedience, and focusing the eyes of the people on the promised, eschatological salvation.⁷⁴

69 Morna D. Hooker, "Paul and 'Covenantal Nomism,'" in *Paul and Paulinism: Essays in Honour of C.K. Barrett*, ed. M.D. Hooker and S.G. Wilson (London: SCM, 1982), 47–56.

70 Hooker, "Paul," 49–50.

71 Hooker, "Paul," 52.

72 Hooker, "Paul," 52.

73 Cf. Cobb, "What Paul Says," 177–78, and, on this whole question, 188–93.

74 It has been claimed by, e.g., Martyn and Christiansen that Paul's polemic with the "Hagar" covenant, "from Mount Sinai" (Gal. 4: 24) is aimed, not at the Sinai covenant per se, but rather the Jewish-Christian teachers' misperception of it; see Martyn, "The Covenants,"

The eschatological covenant, more clearly than all that precedes it, “engenders” its true members,⁷⁵ through the proclamation of the gospel, baptism, union with Christ, and the work of the Spirit. What differences are there between this and the covenant with Abraham? I would mention, first and most notably, the work of the Spirit which, though present before Christ’s coming, is now powerfully active in bringing about faith. Secondly, through Jesus Christ, the true seed of Abraham, non-Jews also become in ever-increasing numbers, “children of Abraham,” and “sons of the living God,” faithful members of the covenant, sharing the same standing and privileges as Christ-believing Jews.

In closing, I would suggest that a close study of Galatians 3–4 shows that the covenant concept is more relevant for understanding Paul’s argument than one might infer from the number of occurrences of διαθήκη in these chapters. Sensitivity to covenant concepts, logic and patterns, as well as considerations of structure and intertextuality suggest that the word διαθήκη in Paul is often only the visible tip of an iceberg that is much larger and – to change metaphors – digs down much more deeply, sinking its roots in Jewish scripture. I would also suggest that this conclusion may well apply to other New Testament writers. Although scholars like N.T. Wright have no doubt overstated their case it remains likely that, at the very least, Paul, as a Jew who had discovered the Messiah in the face of Jesus of Nazareth, was firmly convinced that the cross, the resurrection and the eschatological Spirit were nothing less than the fulfillment of God’s covenant promises. As the Pastoral Epistles put it, Paul was convinced that his belief in Christ allowed him to “worship God ... with a clear conscience, as [his] ancestors did” (2 Tim. 1: 3).

199–24; Ellen J. Christiansen, *The Covenant in Judaism and Paul: A Study of Ritual Boundary Markers*, AGJU (Leiden: Brill, 1995), 243. That this is not a consensus view can be seen in the contrary comments of, e.g., De Boer and Das; see De Boer, *Galatians*, 298–99; A. Andrew Das, *Galatians*, ConCom (Saint Louis: Concordia, 2014), 488–89. Although the polemical aspect of Paul’s argument in Gal. 4: 21–31 is undeniable, the terminology of v. 24, especially when compared with the similar vocabulary of 2 Cor. 3, and the overall argument of Gal. 3–4, suggests it is indeed the Sinai *covenant* which has reached its terminus in Christ’s coming and the gift of the Spirit. The same, however, cannot be said of the Abrahamic covenant which, in Paul’s words, is the “gospel proclaimed beforehand” (Gal. 3: 8); not only is this covenant not superseded by the Law (Gal. 3: 17), but it remains permanently valid, finding its deepest expression in the “new” covenant, and coming to present fulfillment as the nations discover the God of Israel, thus becoming Abraham’s offspring in Christ.

75 E.g., Deut. 14: 1; 32: 5, 18.

Annex 1

Introduction: the <i>Spirit</i> given to the Galatians (3: 1–5)		Conclusion (4: 1–7):	
A	Abraham and the promise of blessing for his “sons” (3: 6–9)	A'	The διαθήκη made to Abraham concerning an <i>inheritance</i> for his <i>offspring</i> (3: 15–18)
B	The Law and its curse (3: 10–14)	B'	The giving of the Law (3: 19–22)
		B”	Life under the Law (4: 1–3)
C	The curse of the Law removed and the promised blessing bestowed,	C'	The removal of the Law’s tutelage,
		C”	The redemption of those who were under the Law,
	<i>By Christ’s coming</i> (ἐξηγγόρασεν, 3: 13)		<i>By Christ’s coming</i> (ἵνα ἐξαγοράσῃ, 4: 4–5)
D	Result: The gift of the <i>Spirit</i> , received through faith (3: 14)	D'	Result: The status of <i>sons</i> <i>and heirs</i> , in Christ (3: 26–29)
		D”	Result: The gift of the <i>Spirit</i> and the status of <i>sons and</i> <i>heirs</i> , by the grace of God (4: 6–7)

Annex 2

	Ga 2, 14b–21	Ga 3, 1–5	Ga 3, 6–14	Ga 3, 15–29	Ga 4, 1–7	Ga 4, 8–20	Ga 4, 21–31
πνεῦμα		3×	1×		1×		1×
σάρξ	2×	1×				2×	2×
ἐξ ἔργων νόμου	3×	2×	1×				
ἐκ πίστεως (ου ἐξ ἀκοῆς πίστεως), πίστις, πιστεύω	4×	2×	5×	7×			
Ἀβραάμ			5×	3×			1×
δικαίω/δικαιοσύνη	5×		4×	2×			
υἱός			1×	1×	5×		4×
ἐνευλογηθήσονται (ου εὐλογία)/κατάρα (ου ἐπικατάρατος)			8×				
νόμος	1×	2×	5×	8×	2×		2×
ζάω (ου ζωοποιῆσαι)	8×		2×	1×			
ἐπαγγελία (ου ἐπαγγέλλομαι)			1×	8×			2×
διαθήκη				2×			1×
σπέρμα				5×			
κληρονομία (ου κληρονόμος, κληρονομέω)				2×	2×		1×
ἐλεύθερος				1×			5×
στοιχεῖα					1×	1×	
δουλεύω (ου δοῦλος, δουλός, δουλεία/ἐλεύθερος)				2×	3×	2×	7×
τέκνα/τεκνία						1×	4×
ὠδίνω						1×	1×

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Covenant, Election and Israel's Responsibility

A Clarification through an Intertextual Analysis of Quotations from Scripture in Romans 10

Michael Mulder

Although the term 'covenant' is not mentioned by Paul in Romans 10, nor in the passages from scripture he is quoting in that chapter, Romans 9–11 is about God's faithfulness to his promises, which reflects his character as the God of the covenant with Israel. Paul starts these chapters mentioning his great sorrow, that although the covenants were conveyed to the people of Israel, the majority of them do not accept the Gospel. He is anxious about his people, but also about God's faithfulness to the promises that were given within the framework of these covenants. His main answer is that it is impossible that God's word would be annulled (Rom. 9: 6).

This being the case, the immediate concern appears to be how this word can be effective, and in what way God's election and Israel's responsibility are to be connected within the supposed framework of covenant faithfulness. Is Paul stating in these chapters that God will realize his word – unilaterally maintaining his covenant – without taking Israel's response into account? How is he combining his stress on the impossibility that God's word would fail with the focus on Israel's responsibility in Romans 10 – as a pivotal element within the covenantal relationship? The aim of this article is to show that Paul arrives at a new perspective in the approach to these issues by listening to the scriptures and applying them to the situation he is confronted with in his own time. This will be demonstrated by an intertextual analysis of the texts he is quoting from the Old Testament, mainly focusing on his quotation from Isaiah 53 in Romans 10: 16.

The perspective Paul is offering here can be esteemed as a stimulus for further systematic-theological reflections on the character of God's covenantal relationship with his people. As Gert Kwakkel indicates in his contribution to this volume, the term בְּרִית can be used in different senses; the same can be said of the use of διαθήκη in the New Testament. Behind the use of these terms there is a clear awareness of the special relationship between God and Israel. This is an ongoing relationship, as Paul demonstrates in these chapters, which might be characterized as 'covenantal.' The way he treats the questions that

arise in his thought about the ongoing validity of this relationship and about Israel's responsibility within that overarching framework can be applied to the broader question of how God deals with his covenant people.¹ This essay does not so much focus on the question of the relationship between Israel and the Gentiles as covenant partners within the broader framework of God's plan.² It focuses on the way God deals with his special partner within this covenantal relationship.

1 Romans 10, the Key to Understanding Romans 9–11

Romans 10 is often read as a chapter that deals with Israel's own responsibility to respond to the promise of God.³ This promise, seeking a response from Israel, remains in force, since God is faithful to his covenant, as Paul emphasizes in Romans 11: 1: "Has God rejected his people? By no means!" Still, this does not exclude Israel's response. How does this responsibility, supposedly stated in Romans 10, relate to the emphasis on God's election in Romans 9? And, is there any lasting place for one's own responsibility, when Romans 11 asserts that in the end, all of Israel will be saved?⁴ It seems as if these different perspectives cannot be logically reconciled with each other. Consider: Romans 9, God's election of some in Israel; Romans 10, Israel's own responsibility; Romans 11, God's purpose for the salvation of Israel as a whole.

Many exegetes assume that in these chapters Paul is not truly consistent. Perhaps Paul was still in the process of developing his own thinking as he wrote, some suggest.⁵ Others take the view that Paul was himself unaware

1 In his contribution to this volume, Arnold Huijgen stresses the importance of history as the framework for discussing the covenant. In his quotations, Paul directs the attention of his readers to the history in which God's promises were given, and the way the people of his covenant react, which evokes new divine actions and words. That is what God's covenant is about.

2 Cf. for this theme my contribution to the BEST-volume *Israel as Hermeneutical Challenge*: "Paul's Dual Focus: 'Rejoice, o Gentiles, with his People.' An Intertextual Analysis of the Quotations in Romans 15: 7–13," forthcoming.

3 E.g. the heading of Rom. 9: 30–10: 13 in the commentary of William Sanday and Arthur C. Headlam: "Israel itself to blame for its rejection." *The Epistle to the Romans*, 5th ed., ICC (Edinburgh: T&T Clark, 1911), 275; cf. Ernst Käsemann: "Israels Schuld und Fall" (about Rom. 9: 30–10: 21). *An die Römer*, 2nd ed., HNT 8a (Tübingen: Mohr Siebeck, 1974), 264.

4 Rom. 11: 26: "and in this way all Israel will be saved." Unless otherwise indicated, all English scripture quotations and references are taken from the ESV.

5 Karlheinz Müller supposes that Paul, starting to write in Rom. 9: 1, had no idea of where this would bring him. "Denn wie hätte Paulus sonst Röm 9,6–29 stehen lassen können, wenn er schließlich zu der Überzeugung gekommen wäre, daß Röm 11,25–26a so etwas

of the inconsistency.⁶ Still others think that he was aware of it, but was simply unable to resolve it.⁷ In any case, there appears to be a significant tension between the different perspectives present in these chapters.

Usually, the key to resolving this tension is sought in the 'mystery' referred to in Romans 11.⁸ This mystery, that all Israel will be saved, acts to relativize all of Paul's earlier statements about election. If there is such a thing as a 'hard' side to election, this is softened by the limits of time, or by God's overarching decree to save all Israel after all.⁹ This approach does serve to render Paul's train of thought more understandable and more acceptable to the contemporary reader. However, this way of 'softening' Paul's statements about election still raises the question whether a unity can be discerned in the message of these chapters.

In my contribution to this quest, I do not seek the key to understanding Paul's chain of thought in Romans 9–11 in the *mysterion*, which in the end overarches all preceding perspectives. Rather, I would like to leave these perspectives standing as they are, and analyze how Paul, in my view, links them to each other, by allowing scripture itself to speak. It is remarkable that the more the apostle reaches the heart of what he wants to communicate, the more he introduces words from scripture without commenting on them.¹⁰ That is what happens in Romans 10. The *catena* of citations which is found in that

wie einen endgültigen Wendepunkt in seinem Denken darstellte?" "Von der Last kanonischer Erinnerungen: Das Dilemma des Paulus angesichts der Frage nach Israels Rettung in Röm 9–11," in *Für alle Zeiten zur Erinnerung' (Jos 4,7): Beiträge zu einer biblischen Gedächtniskultur; Festgabe für Franz Mussner zum 90. Geburtstag*, ed. Michael Theobald and Rudolf Hoppe, SBS 209 (Stuttgart: Katholisches Bibelwerk, 2006), 207.

- 6 Heikki Räisänen: "Ihm ist der Widerspruch also anscheinend verborgen geblieben ... Auf der intellektuellen Ebene gelingt es Paulus nicht, die verschiedenen soteriologischen Ansätze harmonisch zusammenzubringen." "Römer 9–11: Analyse eines geistigen Ringens," in *ANRW*, 2932, 2935.
- 7 Hans Hübner: "Freilich ist es kein Widerspruch aufgrund von Nachlässigkeit im Denken. Eher könnte man sagen, daß Paulus den Gegensatz von Gottes vergangenem und gegenwärtigem Handeln zu seinem eschatologischen Handeln theologisch darlegen wollte. Trotzdem, es bleibt bei der Aporie." *Gottes Ich und Israel: Zum Schriftgebrauch des Paulus in Römer 9–11*, FRLANT 136 (Göttingen: Vandenhoeck & Ruprecht, 1984), 122.
- 8 E.g. Nicholas T. Wright: "The real crux of the issue lies not so much in 11 as a whole, but in 11.25–7." *The Climax of the Covenant: Christ and the Law in Pauline Theology* (Minneapolis: Fortress, 1992), 236. And repeated: "... the crucial little passage 11.25–27. This is where many controversies have clustered, much like seagulls round a fishing boat." *Paul and the Faithfulness of God* (Minneapolis: Fortress, 2013), 1230.
- 9 James D.G. Dunn: "The harshness of God's punitive action against Israel is ameliorated by the setting of a time limit." *Romans 9–16*, WBC 38b (Dallas: Word, 1988), 691.
- 10 Cf. Dieter-Alex Koch, *Der Schrift als Zeuge des Evangeliums: Untersuchungen zur Verwendung und zum Verständnis der Schrift bei Paulus*, BHTh 69 (Tübingen: Mohr, 1986), 101.

chapter is central to understanding Paul's argumentation in Romans 9–11. In this approach, the decisive *crux interpretum* is found in Romans 10, instead of in Romans 11.¹¹ Here, more than anywhere else in his letters, the quotations speak for themselves. By listening to the manner in which Paul captures their voices, and the manner in which he weaves Old Testament history into his reasoning, more light will be shed on the relationship between divine and human activity, and in this way also on the unity of Romans 9 through 11 and on God's covenantal faithfulness as the background of this unity in Paul's mind.

2 Why Did Israel Not Attain God's Righteousness?

In the first part of Romans 10 (vv. 1–10), Paul points out two possible ways to attain God's righteousness (δικαιοσύνη): the way of faith and the way of works. Righteousness has, in Paul's thought, a soteriological dimension, mostly influenced by the use of the term in Isaiah and the Psalms, as is shown by his quotations.¹² The majority of Israel did not submit to God's righteousness (Rom. 10: 3), which is the reason why Paul is praying for their salvation (εἰς σωτηρίαν, Rom. 10: 1).

In verse 5 he distinguishes the 'righteousness that is based on the law' (δικαιοσύνην τὴν ἐκ [τοῦ] νόμου) from the 'righteousness that is based on faith' (ἡ δὲ ἐκ πίστεως δικαιοσύνη) mentioned in the next verse. He characterizes both of these ways with a text from the Bible. Leviticus 18: 5 typifies the way of works: "... if a person does them [i.e. the works of the law], he shall live by them." This citation (ὁ ποιήσας αὐτὰ ἄνθρωπος ζήσεται ἐν αὐτοῖς) exactly reflects the Greek wording of Leviticus 18: 5 LXX, leaving out all references to the commandments and the demanded works of which Leviticus 18 is speaking positively of course.¹³ Yet, the personal pronoun 'them' (αὐτὰ), which refers to these works,

11 I defended this thesis in my doctoral dissertation *Israël in Romeinen 10: Intertextuele en theologische analyse van de oudtestamentische citaten in Romeinen 9:30–10:21* [*Israel in Romans 10: Intertextual and theological analysis of the Old Testament Quotations in Romans 9:30–10:21*] (Zoetermeer: Boekencentrum, 2011). This article is based on the results of that research.

12 See Otfried Hofius: "Bei Deutero- und Tritojesaja wie auch in den Psalmen erscheint das dem hebräischen נִרְפָּא entsprechende Wort δικαιοσύνη als ein soteriologischer Begriff: Es bezeichnet das Heil, das Gott den Heillosen gewährt, indem er ihnen durch sein rettendes Eingreifen neues Leben in der Gottesgemeinschaft eröffnet." "Zur Auslegung von Römer 9,30–33," in *Paulusstudien*, vol. 2, WUNT 143 (Tübingen: Mohr Siebeck, 2002), 155, 156.

13 All references to the OT by Paul will be traced in the Greek version of the Bible. Dieter-Alex Koch's conclusion after thorough examination of all quotations by Paul is still generally

is still in the quotation, although there is no plural antecedent in Paul's text to which it could refer. This observation provides a clear formal proof that the context of the text Paul is quoting should be in the minds of his audience in order to understand the full meaning of his quotation. In the previous section (Rom. 9: 30–32), however, it has become evident that for Israel the way of 'doing' has not led to the desired outcome.¹⁴

In Deuteronomy 30: 11–14 Paul identifies another way, the way of faith. This is the way one pursues by confessing with the mouth that Jesus is Lord, and by believing with the heart that God raised him from the dead (Rom. 10: 9). The catchwords 'mouth' and 'heart' are essential key words in the context of Deuteronomy 30. Deuteronomy 30: 14, which Paul quotes in Romans 10: 8, brings together two important themes in the whole book of Deuteronomy. The 'heart' is very often referred to as the place where trust should be born, as the source for living in God's covenant. In the quoted verse the word 'heart' (καρδία) takes up the promise of Deuteronomy 30: 6, where the circumcision of the heart is mentioned as the way God himself will realize the promises of his covenant to Israel. The catchword 'mouth' is very meaningful in this context as well. It will be taken up in Deuteronomy 31: 19, where it refers to the place where God's words should be put, in order to sing them and teach them, refraining from comparable admonitions in Deuteronomy about taking God's word to heart in a similar way. By quoting the verse that brings these key words together, this broader context is brought to mind.¹⁵ When these intertextual echoes are taken into account, the verses Paul quotes indeed assert that even the Torah itself shows that this is the manner in which righteousness can indeed be attained: through the Word of God, entering the heart and expressed by the mouth.

accepted: "Paulus setzt in seinen Schriftziten grundsätzlich den Text der LXX voraus." *Der Schrift*, 48.

14 James D.G. Dunn suggests that Paul attacks in Rom. 9: 30–32 a wrong *interpretation* of God's righteousness by Jewish believers, limiting it to a righteousness which according to their misunderstanding was theirs exclusively, cf. *Romans 9–16*, 595. But Rom. 9: 30–32 expresses that, even though the majority of Israel tried to live with the law, they did not attain righteousness *at all*. The result is that Gentiles, who did not even pursue righteousness, now receive it – by faith; cf. Hofius, "Zur Auslegung," 167.

15 Cf. the keyword στόμα, taken up in Deut. 31: 19, which echoes Deut. 6: 6 and 11: 18, and the catch word καρδία in Deut. 4: 9, 29, 5: 29; 6: 5, 6, 12(A); 8: 2, 5, 14; 10: 12, 16; 11: 13, 16, 18. Peter C. Craigie stresses that the circumcision of the heart in Deut. 30 "is seen rather to be an act of God and thus indicates the new covenant, when God in his grace would deal with man's basic spiritual problem. When God 'operated' on the heart, then indeed the people would be able to love the Lord and live (v. 6)." *The Book of Deuteronomy*, NICOT (Grand Rapids: Eerdmans, 1976), 364.

A little earlier Paul stated that Gentiles, who had not even pursued righteousness, received it, precisely by faith.¹⁶ This stands in direct contrast with the majority of Israel, who did pursue righteousness, but did not attain it, because they tried to reach it by way of the law.¹⁷ The apostle wrestles to come to grips with this astonishing experience. In spite of the fact that Israel knew the Word of God and displayed a 'zeal' to live by it, and in spite of the fact that Christ was from their race, Israel as a whole did not come to faith in Jesus. They held fast to a way that did *not* lead to righteousness. Now, is this a matter of their own choice, and their own responsibility, as most scholars suppose?¹⁸ Or is this a matter of God's activity, of God's election, so that there was nothing Israel could do about it, as some others suggest?¹⁹

In the remainder of this article I will take up this very question: is Paul stressing, that Israel is to be blamed for forsaking the covenant, or is it God's elective purpose that Paul describes, so that Israel was simply unable to believe because they were blinded by God himself? In coming to this point I will pass by much of the chapter. Here, I want to direct my attention especially to this question, to which Paul receives a special response from scripture in the second group of quotations in Romans 10, beginning at verse 13.

3 The Search for the Missing Link

From verse 12 Paul sets out on a quest to discover why Israel has not attained a life-giving 'calling upon the name of God' (ἐπικαλεῖσθαι, vv. 12, 13, 14). The point of departure for his question is the quotation from Joel: "Everyone who calls upon the name of the Lord will be saved."²⁰ Would Israel have done so, they would have attained righteousness, as Paul concluded in verse 9 from

¹⁶ Rom. 9: 30.

¹⁷ Rom. 9: 31.

¹⁸ E.g. Douglas J. Moo: "His [Paul's] point then, is that Israel cannot plead ignorance: God has made his purposes clear in both the OT (note the six OT quotations in vv. 14–21) and the worldwide proclamation of the gospel. So the fault rests with Israel: she had been 'disobedient and obstinate' (v. 21; cf. v. 16)." *The Epistle to the Romans*, NICNT (Grand Rapids: Eerdmans, 1996), 663.

¹⁹ Esp. Hofius: "Paulus sagt gerade nicht: Weil Israel den Glauben verweigert hat, deshalb ist es von Gott 'verstockt' worden. Er zeigt vielmehr auf: Weil Israel von Gott 'verstockt' worden ist, deshalb vermag es nicht zu glauben; weil Gott es 'verblendet' hat, deshalb ist es blind für das in Christus beschlossene Heil, erkennt es die δικαιοσύνη (10,3), 'eifert' es um Gott – doch ohne ἐπίγνωσις (10,2)." "Das Evangelium und Israel: Erwägungen zu Römer 9–11," in *Paulusstudien*, 2nd ed., WUNT 51 (Tübingen: Mohr-Siebeck, 1994), 181.

²⁰ Rom. 10: 13, quoting Joel 2: 32.

Deuteronomy 30: by believing in the heart and confessing with the mouth, one will be saved. Israel obviously did not. Paul asks for the reason, and starts demanding what is needed in order to bring God's word in such a way into the mouth that it brings salvation. A succession of verbs traces the required steps: to so *call upon* God (ἐπικαλεῖσθαι), one must *believe* (πιστεύειν); to believe, one must *hear* the word (ἀκούειν); to hear the word, there must be preachers who *proclaim* it (κηρύσσειν); to proclaim the word, God must *send out* his messengers (ἀποστέλλειν).²¹

Paul begins his search at the beginning of the chain: God *has* indeed sent out his messengers: "How beautiful are the feet of those who preach good news."²² Up to this point, there is no problem in the chain: God has provided εὐαγγελιζόμενοι so that the life-bringing word has indeed been proclaimed.²³

But what occurred after this message, thus proclaimed by these εὐαγγελιζόμενοι? Paul asks this question, by quoting directly from Isaiah words that indicate what happened to the preaching of the prophet: "Lord, who has believed what he has heard from us?" (κύριε, τίς ἐπίστευσεν τῇ ἀκοῇ ἡμῶν;).²⁴ In this quotation – taken from the immediate context of the verse he just cited (Isa. 53: 1 reflects on the message of Isa. 52: 7) – the next two links of the chain are mentioned: both hearing (ἀκούειν in the word ἀκοή) and believing (πιστεύειν). So by these words Paul puts his finger on the transition from *hearing* to *believing*. Here, ἀκοή means 'what can be heard' or 'the thing heard,' i.e., the message that enters our minds through hearing.²⁵ Taking over the 'we' (ἡμῶν) Paul conceives his own proclamation in the same line as that of the prophet.

21 Rom. 10: 14, 15.

22 Rom. 10: 15, cit. Isa. 52: 7. Paul alters the singular εὐαγγελιζόμενος of Isaiah into a plural εὐαγγελιζόμενοι in order to identify his own apostolic proclamation of the Gospel with the message that Isaiah is referring to. Thus the ἀκοή that is heard in the time of Isaiah (in the next quotation) can be identified with the word (ῥῆμα) Paul and the other apostles were proclaiming (cf. Rom. 10: 8).

23 J. Ross Wagner highlights Paul's identification of Isaiah's message with his own apostolic work, as the apostle cites Isa. 52: 7 slightly altering this quotation: "Paul's citation of Isaiah 52: 7 as a prefiguration of his own proclamation of the gospel (Rom 10: 15) strongly suggests both that Paul is aware of the connection between 52: 5 and 52: 7 within Isaiah's oracle and that he employs each of these passages in his argument in Romans with their original setting in mind." *Heralds of the Good News: Isaiah and Paul in Concert in the Letter to the Romans* (Boston: Brill, 2003), 178.

24 Rom. 10: 16, cit. Isa. 53: 1.

25 Hofius demonstrates that ἀκοή, in LXX should very often be read in the sense of the Hebrew מַסְרָה: 'message' or 'report'; see Otfried Hofius, "'Fides ex auditu': Verkündigung und Glaube nach Römer 10,4–17," in *Denkraum Katechismus: Festgabe für Oswald Bayer zum 70. Geburtstag*, ed. Johannes von Lüpke and Edgar Thaidigsmann (Tübingen: Mohr Siebeck, 2009), 71–86.

He hears the word of God and then proclaims the message he thus received, bringing it into the hearing of others, with whom Paul identifies in this 'we' as well. The word ἀκοή, indicates this movement that starts at God's side and reaches out to those who hear it.²⁶ Yet, now this ἀκοή is not believed. How could this be?

Could it be, asks verse 18, that they perhaps have not heard what was proclaimed to them? The answer seems to be clear: "Their voice has gone out to all the earth, and their message to the ends of the world." It certainly was not that, this quotation from Psalms 19: 5(4) seems to affirm.²⁷

4 The Question about Israel's Understanding

After enquiring about Israel's hearing, Paul brings up another concern: did they perhaps not understand, or comprehend the message (μὴ Ἰσραὴλ οὐκ ἔγνω;)?²⁸

It is striking that here Paul, coming from the chain of verses 14 and 15, arrives at this question: Did Israel perhaps not understand (ἔγνω, from γινώσκειν)? This verb was not mentioned in the sequence of verse 14; up till now there was no allusion at all to 'knowing' or 'understanding.' How does Paul, in his search for the missing link, arrive at looking for the presence or absence of γινώσκειν? Next: how is this question to be interpreted? Does Paul really intend to say that Israel has not understood the message?

Some exegetes perceive the question in this sense: indeed, Israel was unable to understand the message. They see this as a rhetorical question, one that assumes a negative answer. It serves, then, to highlight the electing act of God. Otfried Hofius rephrases Paul's question by stating: "Indeed, Israel was unable to understand, because it was hardened. That is why they became a

26 "Isaiah remains a living voice for Paul, one who speaks alongside the apostle as an authoritative witness to the gospel." Wagner, *Heralds of the Good News*, 180.

27 It does affirm this at first sight at least. The fact that the context of the Psalm speaks about these voices as a language that is not heard (Ps. 19: 4[3]) brings some interpreters to the suggestion that Paul does not intend to quote or interpret the Psalm, but according to Moo, just "to use its language, with the 'echoes' of God's revelation that it awakes, to assert the universal preaching of the gospel." *Romans*, 667. Taking into account the background of the quotation about Israel's 'understanding,' see below, I suppose that the movement of the Psalm from one kind of hearing to another kind, is playing a more important role than assumed by most scholars.

28 Rom. 10: 19a.

disobedient and contrary people: God had hardened their hearts, so that they effectively could not comprehend his Word.”²⁹

Other exegetes emphasize the opposite: Paul holds Israel completely responsible for its attitude of rejection. It is a stubborn people, and it is they themselves who contradict what God says. They could have known better, for if even the ends of the earth have heard all these words of God, then how much the more should Israel have taken hold of them? They could have understood, but they did not want to. Grammatically this seems the most logical interpretation: the negation οὐ following the negative μή, normally implies an affirmative reply.³⁰ Therefore Douglas Moo, with the majority of scholarly opinion, rejects Hofius’ interpretation, and paraphrases: “No, Paul affirms, Israel has ‘known.’”³¹ The problem is that he has to put this ‘knowledge’ into inverted commas, as Paul clearly stated their lack of knowledge in Romans 10: 2, 3. Therefore Moo has to define this ‘ignorance’ in verse 3 as “her willful refusal to recognize the fulfillment of these texts in the revelation of God’s righteousness in Christ.”³² Thus the same expression about Israel’s ‘knowing’ is used in two opposed senses: in the first case ‘knowledge’ is denied, because of a willful refusal to act according to it, whereas Israel’s ‘knowledge’ would be affirmed in verse 19 as a certain kind of intellectual ‘knowledge,’ which brings a lot of tension in this approach to the question Paul asks here.

Were they unable to understand, so that they did not attain to the salutary ‘calling on God,’ or were they able, so that their guilt was all the greater for not calling on Him? I would like to suggest that still another – a third – interpretation of this question is feasible. This third approach arises from taking into account the context of the words of Isaiah 53: 1, much more than has been done in the scholarly debate on the exegesis of this verse thus far.

29 “Die Frage von 10,19a (μή Ἰσραὴλ οὐκ ἔγνω;) zielt m.E. im Unterschied zu der Frage von 10,18a (μή οὐκ ἤκουσαν;) auf eine negative Antwort ab.” Hofius, “Das Evangelium,” 176n5. Hofius is followed by Florian Wilk in *Die Bedeutung des Jesajabuches für Paulus*, FRLANT 197 (Göttingen: Vandenhoeck & Ruprecht, 1998), 134, and Martin Rese: “Die Israeliten haben diese Botschaft, dieses Wort, nicht verstanden (10,19a), und deshalb nicht, weil Gott sie eifersüchtig machen wollte auf jenes Nicht-Volk, von dem sich Gott hat finden lassen (10,19f.).... Dieses von Gott gewirkte Nichtverstehen ist die Ursache von Israels Ungehorsam.” “Israels Unwissen und Ungehorsam und die Verkündigung des Glaubens durch Paulus in Römer 10,” in *Jesu Rede von Gott und ihre Nachgeschichte im frühen Christentum: Beiträge zur Verkündigung Jesu und zum Kerygma der Kirche; Festschrift für Willi Marxsen zum 70. Geburtstag*, ed. Dieter-Alex Koch, Gerhard Sellin, and Andreas Lindemann (Gütersloh: Gütersloher Verlag, 1989), 264.

30 BDF, § 427.

31 Moo, *Romans*, 667.

32 Moo, *Romans*, 668.

This approach will offer a fresh perspective on the dilemma of God's elective purposes and Israel's responsibility within the framework of the covenantal relationship mentioned before, in which both Israel's accountability and God's covenantal faithfulness to his people are related to each other by the way Paul brings scripture into his chain of thought.

First, the context of the words quoted from Isaiah in Romans 10: 16 explains why Paul, in verse 19, asks a question concerning Israel's 'understanding.' Second, the use of the verb 'to understand' (γινώσκειν) in the context of Isaiah 53 helps us to interpret Paul's question in a different way. Attention to intertextual connections will reveal a movement that the apostle recognized in the context of the words he is quoting from scripture, which he appears to have in mind investigating Israel's 'understanding.'

His question seems to be a logical link in the golden chain from hearing to believing. Most exegetes approach it in this way, as the result of sound common sense: it is impossible to believe what has been proclaimed and heard, if what is heard has not been understood. That is the reason why authors do not ask themselves why Paul introduces this new issue. It is simply explained as part of the 'hearing,' whereas "their knowledge of their own scriptures ought to have informed their hearing," interprets James Dunn.³³ However, the reason why Paul brings up the issue of Israel's γινώσκειν is not rooted in logic, but in the context of the quotations from Isaiah 40–55. For more than one reason it is important also to weigh the original setting of Paul's quotations in their interpretation.

The most obvious consideration to justify such an approach is that Paul knew the scriptures by heart, so that a quotation can never be isolated from the sound of these words in their original context. Although it is difficult to draw certain conclusions about the level of knowledge of scriptures and contemporary modes of quoting them, as written rabbinical sources are of a later date, it is clear that many Jews in Paul's days did not have common access to written Bible texts, so that quoting Bible verses always could imply a direct or indirect reference to their context. This being widely acknowledged, intertextual analysis should still receive more specific attention in exegetical praxis.

A formal argument in support of the idea that Paul had the context of the words he is quoting in mind was mentioned previously, as the quotation from

33 Dunn, *Romans*, 631. Explicitly, Folker Siegert: "Der Vorgang des Hörens (V. 14,18) wird zerlegt in den des *Verstehens* (V. 19, anscheinend bejaht) und den des *Gehorchens* (V. 16a und 21, verneint)." *Argumentation bei Paulus gezeigt an Römer 9–11*, WUNT 34 (Tübingen: Mohr Siebeck, 1985), 155.

Leviticus 18: 5 had a word in it that could only be understood as a reference to a plural antecedent that was not in the words of Paul's letter.

Given these facts, it is not accidental that closer examination of the quotations proves that the contexts of each of the verses that Paul is quoting from the Old Testament in Romans 10 are closely linked to the original scriptural contexts of the quotations that precede or follow them, especially by a number of key-words that turn out to be present in both contexts.³⁴ To give just one example: by way of the key word πιστεύειν (to believe), Isaiah 53: 1 is linked to Isaiah 28: 16, the verse with which Paul started his line of thought (in Rom. 10: 11), whereas the other keyword of Isaiah 53: 1, ἀκοή (message), connects this verse to the quotation just before this one, as the messenger in Isaiah 52: 7 brings an ἀκοή εἰρήνης (a message of peace). Although Paul did not take over all these words expressly when he cited these texts from Isaiah he must have been aware of these verbal links between the quoted verses. Once on this track, more and more of these intertextual verbal links can be discovered between all of the quotations in this *catena*. These links can serve to explain how Paul came from one quotation to the next one. But more than that, this approach opens up broader perspectives Paul had in mind by taking up these words from scripture.

In proceeding with this approach, and reading the quotations within their own contexts, it appears that a close connection can be demonstrated between the catchwords ἀκούειν (to hear) and γινώσκειν (to know). In the broader context of Isaiah 40–55 those two words are consistently juxtaposed, so that this pairing of 'hearing' and 'understanding' receives a deeper layer of meaning in the development of the prophetic book.³⁵ Time after time God calls His people to listen to, and to understand, that which they of themselves are unable to hear and acknowledge. In this context, it is quite conceivable that in Paul's mind the issue of Israel's understanding immediately resonates when he asks his question about their hearing.

However, the context of Isaiah's prophecy does not just elucidate the fact *that* this question is asked. More than that, Paul's drawing attention to this context gives his words a much deeper significance. Drawing on scripture, he better recognizes what is happening in his own day and he shows a way to make progress in dealing with precisely those questions he is wrestling with.

34 For a schedule of all contextual links between Paul's quotations in Romans 10, see my *Israël in Romeinen* 10, 365–67.

35 Cf. Isa. 40: 21, 28; 42: 18–25; 43: 10–21; 48: 12, 16, 18, 20. The same use of hearing and understanding can be perceived in the whole book of Isaiah, with a link to the vision of Isaiah's calling as a prophet (Isa. 6: 9, 10; see note 51 below).

Isaiah 53: 1 – with its question: “Who has believed what he has heard from us?” – reveals an astonishing moment in the course of the prophecy within this part of the Book of Isaiah. In chapter 48 there is a dawning hope that a new kind of hearing and understanding will indeed arise by which the message of the prophet would receive a positive answer. The urgent call to ‘listen’ in Isaiah 48: 12, 13, 14, 18, 20 is increasingly connected to the work of the one who is anointed with God’s Spirit, subsequently called his Servant. By this Servant, God himself will look after his people, so that they will not be abandoned to deafness and ignorance.³⁶ In Isaiah 51 for the first time mention is made of people who ‘pursue righteousness’ among those who listen to the prophet.³⁷ Isaiah 52: 7, just quoted, is the centre of a chapter full of promises that God will reveal “his arm” so that even the ends of the earth will see his salvation.³⁸ This revelation of the Lord is aimed at being recognized by his people for which again the word γινώσκειν is used.³⁹ This ‘knowledge’ (the object of this γινώσκειν) will be brought about by the fact that the εὐαγγελιζόμενος will cause this to ‘be heard.’⁴⁰ It is at that very moment that the question arises whether this message is heard in truth and the prophet asks to whom “the arm of the Lord” has been revealed.⁴¹

This background of the words ἀκούειν and γινώσκειν not only makes it conceivable that Paul asks his question about γινώσκειν; it also discloses in what way Paul brings to mind the whole context of the prophecy from which he is drawing these key words as a framework to comprehend what he is aiming at in using them. Paul identifies the enormous disappointment this question reveals with his own struggle, the ‘great sorrow and unceasing anguish’ he points to in Romans 9: 2, 3, and his prayer in Romans 10: 1. He does so by conflating the message (ἀκοή) that the prophet announced with the one that

36 Cf. John Goldingay, *The Message of Isaiah 40–55: A Literary-Theological Commentary* (London: T&T Clark, 2005), 497. Goldingay remarks that the words ‘listening’ and ‘knowing’ receive a new dimension in this chapter.

37 Isa. 51: 1: ἀκούσατέ μου οἱ δίκαιοι. Cf. δίκωντα δικαιοσύνην in Rom. 9: 30, where Paul obviously alludes to this verse.

38 Isa. 52: 10. His salutary mighty deeds for His people will not only be seen in Israel, but among “all the nations,” to “all the ends of the earth,” Isa. 52: 8, 10, 15.

39 Isa. 52: 6: “Therefore my people shall know my name” (διὰ τοῦτο γνώσεται ὁ λαός μου τὸ ὄνομά μου).

40 Isa. 52: 7: ὅτι ἀκουστήν ποιήσω τὴν σωτηρίαν σου.

41 Isa. 53: 1b: “And to whom has the arm of the Lord been revealed?” (καὶ ὁ βραχίον κυρίου τίνι ἀπεκαλύφθη); clearly reflects Isa. 52: 10: “The Lord has bared his holy arm before the eyes of all the nations” (καὶ ἀποκαλύψει κύριος τὸν βραχίονα).

he and other preachers of the Gospel have proclaimed.⁴² In identifying the two, what Isaiah writes about the ἀκοή, in his time – that his hearers had rejected it – becomes a mirror for understanding what happens in his own time. He recognizes his pain, but that is not the only thing this identification brings about. The apostle also gains a perspective that enables him to place this rejection within God's plan.⁴³ It is not the first time that the people of God hear the message without 'knowing'; still, he continues making his message known, thus expressing his faithfulness in a merciful way. He does so by the same means as in the time of Isaiah: by the proclamation of those who bring the gospel to the ears of those whom he calls 'deaf' and 'ignorant.' This is the effect of fusing the horizons of Isaiah and his own by the suggestive question about Israel's γινώσκειν, bringing the context of this word in the original prophecy to the mind of his readers. Richard B. Hays notes: "Paul reads in Isaiah the story of God's eschatological redemption of the world. His extensive allusions to Isaiah 40–55 suggest that Paul has pondered this text repeatedly and found in it a prefiguration of his own apostolic mission to announce God's good news to the Gentile world."⁴⁴

Here Paul can also find a direction towards an answer on the question he is asking. Although the people of Israel are deaf and ignorant, God continues using the ἀκοή of the prophet – the message that comes to them through their non-hearing ears – to reach them and bring them to hearing and understanding this word, obviously in a different way. Thus the apostle hopes that his audience will join in the movement that Isaiah is pointing to, in order to gain another kind of hearing and understanding than what is happening at that moment.⁴⁵

42 As demonstrated before in connection with Paul's linking the feet of the messenger in Isa. 52: 7 to his own εὐαγγελίζειν (cf. note 21 and 22 above).

43 Wagner signifies the same movement (although linked to an observation about another chapter of Isaiah): "this web of intratextual connections stretching between chapters 40 and 52 within the book of Isaiah helps to explain why Paul draws on key phrases from Isaiah 40 as he attempts to explain Israel's failure to respond to his mission, prophesied in Isaiah 52: 7 and 53: 1." *Heralds of the Good News*, 184.

44 Richard B. Hays, "Who has believed Our Message?: Paul's Reading of Isaiah," *Society of Biblical Literature ... Seminar Papers* 37.1 (1998): 223. Hays has given an enormous stimulus to the NT research on intertextual links, for which he introduced the term metalepsis: "Metalepsis ... places the reader within a field of whispered or unstated correspondences." *Echoes of Scripture in the Letters of Paul* (New Haven: Yale University Press, 1989), 20. Although the term and method is not unproblematic, it can be helpful to uncover the 'fusion of horizons' which I indicated, alluding to the concept of H.-G. Gadamer.

45 In fact this movement is closely linked to what Paul hopes to achieve in the relationship between Jews and Gentiles in the Christian community of Rome. To demonstrate how the responsibility of both groups is taken into account, while God is directing them at

The direction of this movement can be found in listening again to the word-pair 'hearing' and 'understanding' in the context of the Book of Isaiah. Although the prophet knows that Israel largely does not hear, he keeps repeating his call. It sounds as a recurring refrain in his message, the more so after the moment where he had to characterize his audience as 'deaf ones': "hear, Israel ... give ear ... listen to Me!"⁴⁶ It is not only that they cannot hear, as deaf people, they cannot understand it either. Isaiah has to tell them: ἤκούσατε πάντα, καὶ ὑμεῖς οὐκ ἔγνωτε ("you have heard all these things; but you did not understand").⁴⁷ And immediately the same prophet adds: "In fact, you have *not* heard it, and you did not know, because I did not open your ears, from the beginning."⁴⁸ God prevented their understanding what would come to them in order that they could not deal with it in the wrong way. That is an explanation the prophet gives for the acts of God in Isaiah 48: 8b: "For I knew that you would surely deal treacherously, and that from before birth you were called a rebel". Apparently, the prophet links the fact that the ears of the people were closed for God's Word with their infidelity. Thus in a certain way, it is God who acts in this not-hearing and not-understanding. The prophet points at this action of God, preventing them hearing and understanding, and at the same time indicates Israel's infidelity making them responsible for their deafness and ignorance.

Still, this apostasy will not annul God's faithfulness. He will act according to his promises for his own sake.⁴⁹ God calls his people to hear and acknowledge what they of themselves could not hear or acknowledge, and he keeps doing so by his prophet.⁵⁰ That seems to be a logical contradiction: "please hear what you *cannot* hear, please understand what you *cannot* understand!" Still, that is precisely the way God is at work, opening the ears of his people, and paving a new way for them by making his words resound in deaf ears. God is using his word, which they of themselves could not understand, to bring his people to a qualitatively different hearing and a true understanding. Logically this is not

the same time, he makes use of the term 'zeal,' ζήλος. First in a negative sense, as can be seen from his quotation of Deut. 32: 21 (Rom. 10: 19), then in a positive sense (Rom. 11: 11, 14). Due to the restricted limits and focus of this article, I cannot elaborate these connections here.

46 In Isa. 42: 18: οἱ κωφοὶ, ἀκούσατε (deaf ones, hear!); cf. Isa. 42: 19; 43: 8. Still the direct appeal comes to them to hear, Isa. 44: 1; 46: 3, 12; 48: 12, 16, 18, 20; 51: 1, 4, 6, 21.

47 Isa. 48: 6.

48 Isa. 48: 7, 8: οὐτε ἔγνως οὐτε ἠπίστω, οὐτε ἀπ' ἀρχῆς ἠνοιξά σου τὰ ὦτα.

49 Isa. 48: 9, 11.

50 Cf. the already mentioned reference to Isa. 6: 6, 9.

possible, and exactly this is the way God obviously acts, bringing the ἀκοή of the εὐαγγελιζόμενοι into the heart of his people.

In quoting various verses from the context of Isaiah's prophecy in Romans 10, Paul calls this greater reality to mind. On the one hand, he recognizes in his own time the hardening of which Isaiah spoke. On the other hand, the words of his quotation refer to the prophecy that shows how God himself will ensure that they *will* attain his righteousness, that they *will* hear. In fact, this means that God will bring to his deaf and blind people a totally different hearing and understanding for the sake of his own name and honour.⁵¹

When this dynamic use of the verbs 'hearing' and 'understanding' within the prophetic context from which Pauls takes these terms is taken into account, another perspective emerges on the interpretation of Romans 10: 19, the question of Israel's γινώσκειν, which transcends the alternatives I mentioned earlier. Has Israel not understood what they heard? In a certain sense, the answer is indeed in the negative, just as it was in Isaiah's day. Israel did not attain a right understanding of what they heard; in a certain sense, then, they have *not* heard, and did *not* learn to understand what they heard.

At the same time, the prophetic context that gave rise to this question shows that a failure to hear and to understand need not be the end of the story. The prophet shows the way to another, a qualitatively different hearing and understanding, which will imply a true understanding of what the εὐαγγελιζόμενοι bring to their ears. In the end, the prophecy explains, it is only God who is *able* to grant such hearing and understanding; but more than that, that is also what God *does*. He really does grant this hearing and understanding, and He does so by the proclamation of his word, by the prophet, on God's behalf. This suits the way Isaiah connects God's might as Creator to his faithfulness towards his covenant people in these chapters (cf. Isa. 51: 16 and the references to the covenant in Isa. 54: 10; 55: 3).

This reference to the context of Isaiah's prophecy might be helpful to find a way to deal with what Bernhard Mayer indicated as the paradoxical tension

51 As indicated shortly already (note 35 above), these two aspects of the intention of God sending his prophet, can be traced back to the beginning of Isaiah's prophecy. On the one hand the people surely will hear the message: ἀκοῇ ἀκούσατε, on the other hand they will not be brought to its understanding: καὶ μὴ συνήτε (Isa. 6: 9). It will even be brought to their ears and hearts with this very purpose, that they will not hear, nor understand it: μήποτε ... τοῖς ὤσιν ἀκούσωσιν καὶ τῇ καρδίᾳ συνώσιν (Isa. 6: 10). These astonishing words do not make the prophecy's hope obsolete; the holy seed that rests at the end of Isa. 6 confirms this hope.

between God's elective and overarching deeds and human responsibility.⁵² By demonstrating how these two perspectives are related in the history of God's dealings with his people, urging them, calling on them to respond his love, guiding them, but always in such a way that he appeals to their responsive hearing and understanding, this 'paradox' might not be solved by reason. However, by his use of scripture Paul shows how he is coping with these questions, and tries to help his readers to think in the same direction.

This is the dynamic in which Isaiah's call stands, implicitly stated in his astonished question: "Who has believed our report?" Paul sees his own word in this same movement as well, hoping and praying that Israel's failure to understand is not the end of the story for them, but that God will work in them a qualitatively different hearing, to which the ἀκοή of Paul's εὐαγγελίζεσθαι is to be an essential link.⁵³ That is the dynamic of living in the covenant that God established with Israel, and in which Paul knows himself to stand in concert with the prophets and all the other εὐαγγελιζόμενοι with him.⁵⁴

5 Listening as the One Addressed

In this way, it turns out, Romans 10 contains an important key for understanding God's faithfulness to his covenant with his people, connected to the questions Paul is dealing with in Romans 9–11 about God's election and Israel's responsibility. In Romans 10, the various perspectives that are brought to the fore in these three chapters are linked through an intertextual network to the history of God's dealings with his people in the Old Testament.

This, however, does not set up a logically understandable unity. Can any person excuse himself since in the end it is God who must grant the hearing? How can any person be held responsible if human activity is overarched by and incorporated within God's electing activity?

52 "Dieses Paradoxon von göttlicher Gestaltung und menschlicher Verantwortung wird von ihm [Paul] nicht reflektiert, geschweige denn zu lösen versucht. Paulus braucht beides, um Gott als Gott und den Menschen als Menschen gerecht zu werden." Bernhard Mayer, *Unter Gottes Heilsratschluß: Prädestinationsaussagen bei Paulus* (Würzburg: Echter, 1974), 313.

53 "Paul finds in Isaiah a prefiguration of the part he now plays in the drama of redemption." J. Ross Wagner, "The Heralds of Isaiah and the Mission of Paul: An Investigation of Paul's Use of Isaiah 51–55 in Romans," in *Jesus and the Suffering Servant: Isaiah 53 and Christian Origins*, ed. William H. Bellinger and William R. Farmer (Harrisburg: Trinity, 1998), 221.

54 The evocative expression 'in concert' was first used by Wagner; his *Heralds of the Good News* is an example of the insights a thorough intertextual analysis can uncover.

According to human reasoning, these two realities are mutually exclusive. But anyone who looks back and sees how this took place in the history of the Old Testament will understand in what way God's election did not rule out human responsibility. Time and again Israel knows that it has been placed under the word of God, and it knows that it is fully responsible to respond to it. At the same time, it is clear that only God can truly open the ears and the heart in order to lead his people to a qualitatively different hearing, a hearing by which Israel really does take what it hears to heart. In the same way, Paul perceives, we – Israel and all those who hear the word – stand under that word.⁵⁵ We cannot place ourselves above it, attempting by means of our own intellect to impose a systematic structure onto it. Together with Israel, anyone who hears the ἀκοή, is in the same position, responsible for a response to what the ears can hear.⁵⁶ This leads one into the same dynamic as Isaiah and Paul experienced. Although human effort will not be able to come to the right hearing and understanding, God will use the proclamation of the εὐαγγελιζόμενοι and its ἀκοή, to bring one to the true hearing and understanding of his message, since it is He who opens ears and hearts.

Remarkably it is not only by the content of his words that Paul urges his audience to listen to the ἀκοή, the form he uses should lead them on this way as well. He continuously refers to the instrument by which the ἀκοή can be heard. As previously noted, the closer Paul comes to his central point, the more scripture has to speak for itself.⁵⁷

The intertextual connection with the language of Isaiah 40–55 shows how God's electing activity overarches and incorporates human responsibility, and at the same time fully addresses this responsibility in his covenant dealings with his people. The way the apostle comes to this fresh perspective on the questions he is asking – did Israel understand, was Israel responsible, or was it God's elective work that unilaterally maintained his covenant? – is a relevant reminder for systematic-theological reflections on the covenant.⁵⁸ These

55 Cf. above, about the use of 'we' (ἡμῶν) in ἡ ἀκοή ἡμῶν (Rom. 10: 16), by which Paul identifies with Isaiah and with his audience.

56 This position can be compared to the aim of the use of בְּרִית in Deuteronomy, as stated by Arie Versluis in this volume: its emphasis is "on the ongoing present of standing before YHWH and responding to his promises and demands," p. 98.

57 The same is true in the *catena* of Rom. 15: 9–11, where the apostle explicitly points at the purpose of these scriptures: "For whatever was written in former days was written for our instruction, that through endurance and through the encouragement of the Scriptures we might have hope" (Rom. 15: 4). These scriptures will continue to speak, even when Paul's letter in which he addresses several issues in the community of Rome, will be finished.

58 Cf. e.g. the contribution of Dolf te Velde in this volume, who treats the dilemma of the 'conditional' and 'unconditional' in the doctrine of the covenant. His conclusion that this

questions cannot be answered from an overview position above the covenant, where an objective observer would be able to discern and formulate neatly the different roles of each covenant partner. It is by listening to the way God speaks and acts in history, using his word, addressing new people in new situations by this same word, that ears and hearts can be opened for this ἀκοή, in order to reach the purpose of the covenant.⁵⁹ Thus the third way of understanding Isaiah 53: 1/Romans 10: 19 brings a richer perspective on God's covenantal dealing with his people, completely dependent on God's electing love, and fully taking into account the responsibility of listening, hearing his voice and knowing that one has to be caught up in this action.

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opposition is unfruitful, and that God's unconditional grace can be experienced in "a concrete path of faith" can be closely connected to these observations from biblical theology, see p. 359.

59 This attitude will be fruitful in Jewish-Christian dialogue as well. As Israel continues to be a covenant partner, Israel should not only be perceived as a partner in dialogue, but as a partner in listening i.e. to the word that we have heard: ἡ ἀκοή ἡμῶν, cf. the implicit dynamics of the word ἀκοή ('hearing/heard message') relating the message to hearing and to its source, the speaking God.

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PART 2

Historical Perspectives



Not for Gentiles? The Covenant in Mekhilta de-Rabbi Ishmael

Eveline van Staaldwine-Sulman

Rabbinic literature focuses on the Torah, given by the Lord to his people Israel. The Torah, the instructions, are part and parcel with the covenant between the Lord God and his people. That relationship is the topic of reflection in midrashic and targumic literature, especially when the Decalogue is discussed. What is the outline of this relationship between God and Israel and, more importantly for the theme of this volume, how do the Gentiles figure in these midrashic and targumic reflections? In this article I follow the line of reasoning in the *Mekhilta de-Rabbi Ishmael*,¹ but compare its arguments with other midrashim and with Targumim.²

1 One Nation under One God

1.1 *Covenant and Torah*

When the covenant (ברית) is mentioned in the *Mekhilta*, it regularly refers to the covenant of God with Abraham (Gen. 15), also called “the covenant between the parts.”³ Other statements refer to the circumcision of Abraham as the sign of the covenant⁴ or to the keeping of the commandment of circumcision

1 Probably composed in the second half of the third century; see Hermann L. Strack and Günter Stemberger, *Introduction to the Talmud and Midrash*, 2nd ed. (Minneapolis: Fortress, 1996), 255. The work is described by Jacob Neusner as: “the first scriptural encyclopaedia of Judaism.” *Mekhilta According to Rabbi Ishmael: An Introduction to Judaism’s First Scriptural Encyclopaedia*, BJS 152 (Atlanta: Scholars Press, 1988), xi.

2 For the new covenant, see the contribution of Aaron Chun Fai Wan to this volume (pp. 219–231).

3 Mek. *Pisha*, 12; 14; 17.

4 Mek. *Pisha*, 5. See also Jacob Z. Lauterbach, *Mekhilta de-Rabbi Ishmael: A Critical Edition, Based on the Manuscripts and Early Editions, With an English Translation, Introduction, and Notes*. (Philadelphia: Jewish Publication Society of America, 1949), 1: 34n1.

by the people of Israel.⁵ In this vein, the Israelites can be called “the children of the covenant” in contrast to the uncircumcised people around them.⁶

A second meaning of the word ‘covenant’ is its equivalence with the commandments of the Torah in general.⁷ Because Israel had entered into a covenant with the Lord God, the people were bound to keep the stipulations of that covenant. One commandment is especially mentioned, namely the law against idolatry. This outweighs all other commandments:

Just as the transgression of all the commandments breaks off the yoke, annuls the covenant between God and Israel, and misrepresents the Torah, so also the transgressor of this one commandment breaks off the yoke, annuls the covenant between God and Israel, and misrepresents the Torah. Now what can this one commandment be? The one against idolatry. For one who worships idols breaks off the yoke, annuls the covenant and misrepresents the Torah. And whence do we know that he who transgresses all the commandments breaks off the yoke, annuls the covenant, and misrepresents the Torah? From the scriptural passage: “That thou shouldest enter into the covenant of the Lord thy God” (Deut. 29: 11[12]), for “the covenant” here simply means the Torah, as it is said: “These are the words of the covenant which the Lord commanded Moses” (Deut. 28: 69 [29: 1]).⁸

If Deuteronomy could write that the Lord commanded the covenant, then the word covenant could mean nothing less than the Torah with all its stipulations. The commandment of idolatry stands out in particular, because transgressing that commandment equals denying the covenant with God, the Lord of Israel.

The commandment against idolatry is repeated in the explanation of the words “and keep My covenant”:

5 Mek. *Beshallah*, 5; *Shabbata*, 1.

6 Mek. *Bahodesh*, 7. For the link between “sons of the covenant” and circumcision, see also Lawrence H. Schiffman, “The Rabbinic Understanding of Covenant,” *Review & Expositor* 84 (1987), 289–98, esp. 290 and 292.

7 Schiffman describes this usage as follows: “The Sinaitic covenant is gradually upstaging the Abrahamic.” “Rabbinic Understanding,” 292.

8 Mek. *Pisha*, 5 in the translation of Lauterbach, *Mekhilta* 1:37–38. See also Mek. *Shirata*, 9, where the parallelism of Ps. 78: 10 (“they kept not the covenant of God and refused to walk in His law”) is taken as a sign that here too the word covenant refers to the law.

“And keep My covenant” (Exod. 19: 5). R. Eliezer⁹ says: This refers to the covenant of the Sabbath. R. Akiba¹⁰ says: This refers to the covenant of circumcision and to the covenant against idolatry.¹¹

The abovementioned rabbis link the word ‘covenant’ to the boundary markers of the Jewish people: the sabbath, circumcision, and the acknowledging of one God. Keeping the covenant is equated to keeping (these specific) commandments.

1.2 *One Nation*

There is no doubt in the *Mekhilta* with regard to the giving of the commandments of the covenant: These are for Israel only.¹² The story of the jealous mountains shows exactly this point:

Another interpretation of “I am the Lord Thy God.”

When the Holy One, blessed be He, stood up and said: “I am the Lord Thy God,” the mountains trembled and the hills wavered. Tabor was coming from Beth Elim and Carmel from Aspamea (...) This one was saying: “I have been called.” And that one was saying: “I have been called.” But when they heard from His mouth: “Who brought Thee out of the land of Egypt,” each one of them remained standing in its place, and they said: “He is dealing only with those whom He brought out of Egypt.”¹³

Tabor and Carmel at first did not belong to the land of Canaan, but were situated outside Palestine. They symbolize the Gentiles. Each nevertheless felt they were the mountain on which God would give his Torah, but in the end they understood that they had “no part to play in the giving of the law.”¹⁴ That the covenant is for Israel only is also stressed in the Palestinian Targums

9 R. Eliezer ben Hyrcanus, second generation Tanna (first half of the second century), disciple of Yohanan ben Sakkai.

10 Third generation Tanna, lived from c. 50–c. 132 CE.

11 Mek. *Bahodesh*, 2 (Lauterbach, *Mekhilta* 2:204).

12 The same idea is present Targum Jonathan, according to Aaron Chun Fai Wan in this volume, and in Luke-Acts according to Arco den Heijer in this volume: “The addition of a people from the Gentiles is, for Luke, an eschatological *novum* and not a return to an alleged universal scope of God’s covenant before the election of Israel; in the past, God had let the Gentiles go their own way, only bestowing on them the providential care that God bestows on all creation.” (p. 157).

13 Mek. *Bahodesh*, 5 (Lauterbach, *Mekhilta* 2:232–33).

14 Willem F. Smelik, *The Targum of Judges*, OtSt 36 (Leiden: Brill, 1995), 428; A Palestinian Targum describes how these two mountains were rewarded for their outstanding

of the Decalogue. Every commandment starts with the phrase: “My people, children of Israel ...”¹⁵

The Torah was given unconditionally to the people of Israel, in contrast to the land of Israel (cf. Deut. 11: 16–17), the Temple (cf. 1 Kings 6: 12), and the kingdom of David (cf. Ps. 132: 12; 89: 34[33]).¹⁶ The proof text for the unconditional gift is “The Torah which Moses commanded us is an inheritance” (Deut. 33: 4).¹⁷ The rabbis were aware of the theological problems concerning this unconditional status as against Israel’s history of faithlessness: how could God – knowing that they would in the future deal falsely with Him – help Israel and be faithful to them? The answer to this problem lay in repentance, “because of the power of repentance which is mighty.”¹⁸ God not only knew their iniquities beforehand, but also that they would always come back to Him and never be entirely faithless:

It was revealed before Him that they were going to deal falsely. Why then does it say: “So He was their Savior” (Isa. 63: 8)? It simply means that He helped them not as people who were going to provoke Him in the future, but as people who would never become faithless.

Targum Joel summarizes this rabbinic theology of repentance and forgiveness as follows, in phrases typical for the period after the fall of the Second Temple:

Whoever knows that he has sins on his conscience, let him turn back from them, and he will be shown compassion; and whoever repents, his sins shall be forgiven, and he will receive blessings and consolations, and his prayer will be like that of a man who presents offerings and libations in the Sanctuary of the Lord your God (Tg. Joel 2: 14).¹⁹

behaviour: Tabor became the place of Israel’s redemption in the days of Sisera and Carmel saw Elijah’s victory over the prophets of Baal. See Smelik, *The Targum of Judges*, 422.

15 Tg. Neof. Exod. 20: 2–17 and Tg. Ps.-J. Exod. 20: 2–17; see ArBib 2, 83–88, 217–19.

16 The question of conditionality is severely discussed in Reformed theology, see the articles of Koert van Bekkum, Jaap Dekker, Arnold Huijgen, and Bram de Muynck in this volume. In the *Mekhilta* (un)conditionality does not seem a point of discussion, only the consequences of the theologoumenon of an unconditional covenant.

17 Mek. *Amalek*, 4 (Lauterbach, *Mekhilta* 2:188–89). Also Aaron and his descendants are such an unconditional gift from God; see Num. 18: 19; 25: 13. So Schiffmann, “Rabbinic Understanding,” 295.

18 Mek. *Bahodesh*, 1 (Lauterbach, *Mekhilta* 2:197). Repentance and forgiveness are cardinal principles of Judaism; see Leivy Smolar and Moses Aberbach, *Studies in Targum Jonathan to the Prophets* (New York: KTAV, 1983), 210–17.

19 ArBib 14, 69. See also Eveline van Staalduine-Sulman, “Targum as Interpretation and the Interpretation of the Targum: Joel 2:12–14 in the Targum and Its Latin Translations of the Sixteenth Century,” *Svensk Exegetisk Årsbok* 83 (2018), 16–37.

2 And What about the Gentiles?

2.1 *Proselytes and Gentiles*

Is this covenant also meant for nations other than the people of Israel? The *Mekhilta* makes a passionate plea for the גר, the 'proselyte'.²⁰ They are loved by God and "in ever so many passages Scripture applies to them the same designations as it does to the Israelites."²¹ Then follows a list of those designations: servants of God, ministers of God, friends of God, the covenant (cf. Isa. 56: 6), acceptance, guarding. Besides, both Abraham and King David called themselves a גר.²² The warmest plea to love these 'strangers' within the people of Israel – without any distinction – is the next paragraph:

Beloved are the strangers. It was for their sake that our father Abraham was not circumcised until he was ninety-nine years old. Had he been circumcised at twenty or at thirty years of age, only those under the age of thirty could have become proselytes to Judaism (להתגייר). Therefore, God bore with Abraham until he reached ninety-nine years of age, so as not to close the door to future proselytes.²³

But what about the Gentiles who do not become proselytes? Jews in the Second Temple period had different opinions on this issue. I mention two examples, although there are several others. Philo was of the opinion that the Torah was simply "the supreme and perfect statement of all religious and philosophical truth."²⁴ He therefore believed that it should be observed by everyone, Jew and Gentile. He held an eschatological hope that one day all nations would indeed do so.²⁵ Josephus was of the opinion that every nation should have its own law. Moses' writings were the constitution of Israel, but the other nations were not required to follow them.²⁶ Gentiles were free to convert, but conversion should take place wholeheartedly (cf. *Contra Apionem*, 2: 209–10).

20 In this period the Hebrew גר must be translated by "proselyte," see Lauterbach, *Mekhilta* 3:139n4.

21 Mek. *Nezikin*, 18 (Lauterbach, *Mekhilta*, 2:138).

22 Gen. 23: 4; Ps. 119: 19.

23 Mek. *Nezikin*, 18 (Lauterbach, *Mekhilta*, 2:140).

24 John W. Martens, "The Meaning and Function of the Law in Philo and Josephus," in *Torah Ethics and Early Christian Identity*, ed. Susan J. Wendel and David M. Miller (Grand Rapids: Eerdmans, 2016), 27–40, esp. 28.

25 Martens, "Philo and Josephus," 33.

26 Martens, "Philo and Josephus," 34–35.

2.2 *No Excuse*

This disunity remains after the Jewish revolt and the destruction of the Temple, although a negative attitude towards Gentiles prevails. *Sifre* is positive about traces of foreign languages in the revelation of the Torah, because they enable the authors “to explain difficult words in terms of imagined cognates.”²⁷ A saying in *Midrash Exodus Rabbah*, attributed to R. Yohanan,²⁸ states: “It was one voice that divided itself into seven voices, and these into seventy languages.”²⁹ The seventy languages refer to all the languages of the world,³⁰ making the Torah available to each and every Gentile. This free availability is also mentioned in the *Mekhilta*:

To three things the Torah is likened: To the desert, to fire, and to water. This is to tell you that just as these three things are free³¹ to all who come into the world, so also are the words of the Torah free to all who come into the world.³²

However, these broad gestures of God as the sower of the word do not yield much results among the Gentiles. The *Mekhilta* gives the entire discussion a cautionary focus: the Gentiles have no excuse for their not accepting or keeping the Torah:³³

Why was the Torah not given in the land of Israel? In order that the nations of the world should not have the excuse for saying: Because it was given in Israel's land, therefore we have not accepted it. (...) Therefore,

²⁷ Midr. *Sifre*, *Berakhah*, 343, quoted in Nahum M. Waldman, *The Recent Study of Hebrew: A Survey of the Literature with Selected Bibliography* (Cincinnati: Hebrew Union College Press, 1989), 113. This midrash refers to Hebrew, Latin, Arabic and Aramaic.

²⁸ I suppose Yohanan bar Nappaha, a third century, Galilean rabbi, because his colleague and brother-in-law Simeon ben Lakish is also mentioned in the same section of *Exod. Rab.*

²⁹ *Exod. Rab.* 28: 6 (S.M. Lehrman, trans., *Exodus*, vol. 3 of *Midrash Rabbah*, ed. H. Freedman and Maurice Simom (London: Soncino, 1951), 336). The seven voices can be found in *Psalms* 29.

³⁰ Cf. A. Cohen, trans., *Ecclesiastes*, vol. 8 of *Midrash Rabbah*, ed. H. Freedman and Maurice Simom (London: Soncino, 1983), 205n3. Since the giving of the Torah at Sinai is linked to the festival of Pentecost, the saying of R. Yohanan is a parallel to the story of Acts 2.

³¹ Neusner renders “for nothing.” *Mekhilta*, 69.

³² Mek. *Bahodesh*, 5 (Lauterbach, *Mekhilta* 2:237).

³³ Paul in his letter to the Romans follows a parallel path: God's qualities are visible in his creation (publicly and openly), so people have no excuse not to believe (Rom. 1: 20); and the law is also given “by nature” (publicly and openly) to the Gentiles (Rom. 2: 14), so they have no excuse to sin. Paul here follows the same line of thought as Philo of Alexandria, i.e. the law of Moses is a written form of natural law.

the Torah was given in the desert, publicly and openly, in a place belonging to no one.³⁴

It is even worse, according to the *Mekhilta*. God did offer his Torah to all the nations, but none of them could accept it because of their very existence:

And it was for the following reason that the nations of the world were asked to accept the Torah, in order that they should have no excuse for saying: Had we been asked we would have accepted it. For, behold, they were asked and they refused to accept it, for it is said, "And he said: 'The Lord came from Sinai' etc."

Deut. 33: 2

He appeared to the children of Esau the wicked and said to them: Will you accept the Torah? They said to Him: What is written in it? He said to them: "Thou shalt not murder." They then said to Him: The very heritage which our father left us was: "And by thy sword shalt thou live".³⁵

Gen. 27: 40

He then appeared to the children of Amon and Moab. He said to them: Will you accept the Torah? They said to Him: What is written in it? He said to them: "Thou shalt not commit adultery." They, however, said to Him³⁶ that they were all of them children of adulterers, as it is said: "Thus were both the daughters of Lot with child by their father".

Gen. 19: 36

Then He appeared to the children of Ishmael. He said to them: Will you accept the Torah? They said to Him: What is written in it? He said to them: "Thou shalt not steal." They then said to Him: The very blessing that had been pronounced upon our father was: "And he shall be a wild ass of a man. His hand shall be upon everything" (Gen. 16: 12). And it is written: "For, indeed, I was stolen away out of the land of the Hebrews".

Gen. 40: 15

34 Mek. *Bahodesh*, 5 (Lauterbach, *Mekhilta* 2:236–37).

35 Neusner renders "The very being of 'those men' [namely, us] and of their father is to murder, for it is said, 'But the hands are the hands of Esau' (Gen. 27: 22); 'By your sword you shall live' (Gen. 27: 40)." *Mekhilta*, 68.

36 Neusner renders an addition: "The very essence of fornication belongs to them [us]." *Mekhilta*, 68.

But when He came to the Israelites and “at His right hand was a fiery law unto them” (Deut. 33: 2), they all opened their mouths and said: “All that the Lord hath spoken will we do and obey”.³⁷

Exod. 24: 7

The Israelites accepted the Torah and the covenantal relationship henceforth. They were capable of accepting it. One might even ask if the story also suggests that the Torah came to Israel because all the other nations refused it. That would be the exact opposite of what Paul writes in his letter to the Romans, namely that the Gospel came to the Gentiles because Israel refused to accept it (Rom. 11: 11–12a). His next line, however, makes clear that Israel always remains the centre of Paul’s theology: “if their defeat means riches for Gentiles, how much more will their full inclusion mean!” (Rom. 11: 12b, cf. 15) The idea that Gentile believers can make Paul’s “own people” (v. 14) jealous, and “thus save some of them” shows that God’s covenant is first of all a covenant with Israel, in Paul’s thinking.³⁸ On the other hand, later Jewish rabbis also recognized God’s love for the Gentiles, even if they did not obey the Torah. For example, R. Johanan³⁹ applied Jeremiah 30: 6 (about a man “with his hands on his loins, as a woman in travail”) to God himself in agony about the fate of the Gentiles: “These [the Gentiles] are my handiwork, and so are these [the Jews]; how shall I destroy the former on account of the latter?” (San 98b). The opposition between Paul and the *Mekhilta* is therefore not an absolute one.⁴⁰ The story of the Gentiles not accepting the Torah, by the way, is not only about the past, although it mentions only examples of nations from the book of Genesis. The nations of Genesis also symbolize contemporary nations. Edom is a symbol for Rome, which indeed lived by the sword. Amon and Moab are symbols of the Hellenistic culture, in which sexuality was perverted. Ishmael is a symbol for all the robbing desert peoples all around.⁴¹ The entire passage speaks of the bitter historical experience of Israel with the surrounding world.⁴²

37 Mek. *Bahodesh*, 5 (Lauterbach, *Mekhilta* 2:234–35).

38 Herman Ridderbos points out that although God’s economy of salvation turns to the Gentiles, it returns from the Gentiles to Israel. *Aan de Romeinen* [To the Romans]. COT (Kampen: Kok, 1959), 252.

39 Johanan bar Nafha, third century Amora, died 279 CE.

40 For the relationship between Israel and Gentile believers, see the article of Michael Mulder in this volume.

41 In later times a symbol of Islam; see Nahum N. Glatzer, *Essays in Jewish Thought*, Judaic Studies Series (Alabama: University of Alabama Press, 1978), 141.

42 Cf. Marcus van Loopik, *De tien woorden in de Mekhilta* [The ten words in the Mekhilta], *Sleutelteksten in godsdienst en theologie* 4 (Delft: Meinema, 1987), 64–65.

2.3 *Israel as Example*

It is good to note that there is no argument mentioned for the Israelites' acceptance of the Torah. One could expect a reference to the merits of the fathers, in contrast to the vices of the forefathers of the Gentile nations, but it is not there. It is equally right to mention that the covenantal relationship is not one of commandments and simple obedience. On the contrary, the *Mekhilta* locates the covenant in a theology of grace:⁴³

Why was the Decalogue not said at the beginning of the Torah? They give a parable. To what may this be compared? To the following:

A king who entered a province said to the people: May I be your king? But the people said to him: Have you done anything good for us that you should rule over us? What did he do then? He built the city wall for them, he brought in the water supply for them, and he fought their battles. Then when he said to them: May I be your king? They said to him: Yes, indeed.

Likewise God. He brought the Israelites out of Egypt, divided the sea for them, sent down the manna for them, brought up the well for them, brought the quails for them. He fought for them the battle with Amalek. Then He said to them: I am to be your king. And they said to Him: Yes, indeed.⁴⁴

Mercy and loving kindness play an enormous role in the description of God in Judaism. Rav, who stands at the beginning of the Babylonian commentary on the Mishnah,⁴⁵ even stated that God prays to himself: "May it be My will that My mercy should suppress My anger" (b. Ber. 7a).⁴⁶ It is due to certain movements within Christianity that the God of Israel is considered an angry God, and the Torah a harsh law (e.g. Marcion, but also the sharp contrast between Law and Gospel in certain corners of the Lutheran tradition).

43 Cf. Craig L. Blomberg, *Interpreting the Parables* (Downers Grove: IVP Academic, 2012), 65. Later midrashim change the setting into a theology of love, e.g. *Pesiq. Rab Kah. 12: 11* and *Exod. Rab. 29: 3*. For *Pesiq. Rab Kah. 12: 11* (fifth century); see Rachel A. Anisfeld, *Sustain Me With Raisin-Cakes: Pesikta DeRav Kahana and the Popularization of Rabbinic Judaism*, JSJSup. 133 (Leiden: Brill, 2009), 3–4.

44 Mek. *Bahodesh*, 5 (Lauterbach, *Mekhilta* 2:229–30; with a minor correction from Neusner, *Mekhilta*, 66).

45 Third generation, Babylonian Amora (first half of the second century).

46 Translation from Jacob ben Solomon ibn Ḥabib, *Ein Yaakov: The Ethical and Inspirational Teachings of the Talmud, Compiled in the Sixteenth Century*, transl. Avraham Yaakov Finkel (Lanhan: Rowman & Littlefield, 2004), 12.

The examples mentioned by God in his offer to the nations are not only quotations from the Decalogue, they are also part of the Noahide laws.⁴⁷ It is for this reason that the *Mekhilta* continues this discussion of the Gentiles by citing a parable of R. Simon b. Eleazar, although strictly speaking this is not an appropriate ending for the story of the nations:⁴⁸

If the sons of Noah could not endure the seven commandments⁴⁹ enjoined upon them, how much less could they have endured all the commandments of the Torah!

To give a parable. A king had appointed two administrators.⁵⁰ One was appointed over the store of straw and the other was appointed over the treasure of silver and gold.⁵¹ The one appointed over the store of straw was held in suspicion. But he used to complain about the fact that they had not appointed him over the treasure of silver and gold. The people then said to him: *Reka!* If you were under suspicion in connection with the store of straw how could they trust you with the treasure of silver and gold?

Behold, it is a matter of reasoning by the method of *kal vahomer*:⁵² If the sons of Noah could not endure the seven commandments enjoined upon them, how much less could they have endured all the commandments of the Torah!⁵³

The story of God's offer to the nations stresses the impossibility of the nations to accept the Torah because of their history and existence.⁵⁴ Were an Edomite, or an Ammonite, to accept the Torah, he would have to become an Israelite – accepting a different history and a different identity. That line of reasoning differs from the parable of R. Simon, because the parable stresses the impossibility of the nations to even keep the Noahide laws. And if these seven laws

47 For the Noahide laws, see e.g. David Novak, *Talking with Christians: Musings of a Jewish Theologian*, Radical Traditions (London: SCM, 2006), 33–37.

48 Fourth generation Tanna (second century).

49 Neusner renders “religious duties.” *Mekhilta*, 69.

50 For other parables concerning owners entrusting their possessions to servants, see Arland J. Hultgren, *The Parables of Jesus: A Commentary* (Grand Rapids: Eerdmans, 2006), 264–65.

51 For a similar use of silver and gold versus straw in combination with human deeds, see 1 Cor. 3: 11–15.

52 Or *a fortiori*, as Neusner renders, *Mekhilta*, 69.

53 Mek. *Bahodesh*, 5 (Lauterbach, *Mekhilta* 2:235–36).

54 This becomes even more obvious in the texts and variants that Neusner renders, *Mekhilta*, 68. See footnotes above.

are too much to ask of the nations, then surely the 613 commandments are too much. In short, the story stresses the Gentiles' characteristics, the parable their weaknesses.

In any event the nations never accepted a covenantal relationship with God. He is therefore the God of Israel, not the God of other nations, as R. Simeon bar Yoḥai stated:⁵⁵

The Holy One, blessed be He, said to Israel: I am God over *all* earth's creatures, yet I have associated My name only with *you*; for I am not called "the god of idolaters," but "the God of *Israel*."⁵⁶

The universal character of the Lord God cannot be denied, yet there is only one covenantal relationship, the one between God and Israel. And this relationship – including its low points – functions as an example for the Gentiles, in order to give them no excuse in the day of judgment:

The prophets said to Jeremiah: Why do you say, "O King of the nations" (Jer. 10: 7)? All the other prophets call Him "King of Israel," whereas you call Him, "King of the nations." To which he replied: I heard Him say to me, "I have appointed thee a prophet unto the nations" (Jer. 1: 5), and therefore do I say "King of the nations," thereby implying that if He does not spare His own children and His family, will He then spare others?⁵⁷

That this judgment shall come is made clear by *Targum Micah*: "And in anger and wrath I will wreak vengeance of judgment on the nations who have not accepted the teaching of the Torah."⁵⁸

3 Conclusions

The Second Temple period was one of various opinions concerning the relationship between the God of Israel and the Gentiles. In all views the commandments of God were pivotal. Josephus regarded the covenant between

⁵⁵ Second century Tanna, a disciple of R. Akiva.

⁵⁶ Exod. Rab. 29: 4 (Lehrman, *Exodus*, 339). This is opposed to Paul's statement in Rom. 3: 29, "Isn't He also the God of the Gentiles? Yes, he is!"

⁵⁷ Exod. Rab. 29: 9 (Lehrman, *Exodus*, 342). Note the exact opposite in reasoning by Paul in Rom. 8: 32, "He who did not spare his own Son, but gave him up for us all – how will He not also, along with him, graciously give us all things?"

⁵⁸ Tg. Micah 5: 14. Translation based on Cathcart & Gordon, *Minor Prophets*, 123.

God and Israel as a particular bond, while the Gentiles had to make their own laws. Philo had a universalistic view and hoped that one day all the nations would follow God's instructions.

After the destruction of the Temple, Judaism had to redefine itself.⁵⁹ While Christianity had chosen a very open view on the (renewed) covenant, Judaism – based on its own sources, forced by their circumstances, and in contrast to Jewish apocalyptic movements and to competing Christianity – chose to stress the special bond between their God and the people of Israel to comfort and strengthen the Jews who survived the Roman wars and the destruction of Jerusalem and the Temple, and to encourage them to keep their part in the covenant as much as possible.⁶⁰ Monotheism asked for a universal God, the Creator of humanity who generously offered his Torah to every single people, but the bitter experience of living within a hostile world led to the conclusion that Gentiles could not and would not accept or keep the Torah. The very existence of the Gentiles seems to forbid their obedience, although individuals became Jewish proselytes and were warmly welcomed.⁶¹

The term 'covenant' is mentioned in the *Mekhilta*, but does not play a major role in the explanation of the chapters concerning the giving of the Torah on Mount Sinai. This coincides with the general tendency in rabbinic Judaism – as part of the re-definition of Judaism, partly over against the growing influence of Christianity – to use more concrete and specific terms than this metaphor. In the words of Nahum Glatzer:

The rabbis pointed out indefinite, vague, and more theoretical prophetic terms which lent themselves to support pneumatic religions, and translated them into concrete demands. Terms like "Knowledge of God," "Covenant," "Way of the Lord," opened the way to uncontrolled religious emotional experience. The Talmud, without losing sight of the deeper

59 For an overview of some re-definitions of rabbinic Judaism, see Guy G. Stroumsa, *The End of Sacrifice: Religious Transformations in Late Antiquity* (Chicago: University of Chicago Press, 2009).

60 I avoid the words 'particular' and 'universal' in this debate, because Anders Runesson has shown that these words are over-simplifying the difference between Judaism and Christianity; "Particularistic Judaism and Universalistic Christianity? Some Critical Remarks on Terminology and Theology," *Journal of Greco-Roman Christianity and Judaism* 1 (2000), 120–44.

61 And while the *Mekhilta* still stresses the open and public offering of the Torah, later Judaism tends to stress the particular bond between the Lord and the people of Israel. See, e.g., the theology of Judah ha-Levi (c.1080–c.1141), described in Glatzer, *Essays*, 141–44.

issues in the relation of Man to God, stresses “study of the Torah”⁶² and “observance of the Law” as the concrete meaning of “Covenant” and “Knowledge of God” ...⁶³

It is therefore difficult to use the midrashic and targumic texts as background for a New Testament study of the word covenant. Midrashim incorporate old sources as well as the re-invention of Judaism after the destruction of the Temple and the fight against rising Christianity with its various sects. Parallel lines of thinking are visible alongside sharp contrasts: this midrash reflects the beginning of the parting of the ways.

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62 The study of the Torah (*Talmud Torah*) was one of the replacements of the sacrifices in rabbinic Judaism; see Stroumsa, *The End*, 67. Stroumsa affirms there that rabbinic sages rejected the metaphor, unlike the church fathers, and therefore had to come up with “new terms and conceptions upon which the new religious system could be founded.” He summarizes on page 104 that “the Christian reinterpretation of Judaism remained abstract, and the idea of *verus Israel* remained metaphoric.”

63 Glatzer, *Essays*, 26.

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The Concept of the ‘New Covenant’ (Jeremiah 31: 27–40) in Ancient Jewish Reception History

Aaron Chun Fai Wan

How do ancient Jewish sources interpret the concept of “the New Covenant” mentioned in Jeremiah 31: 27–40? What value do they add to the understanding of this new covenant and Jewish-Christian dialogue?

This research is mainly descriptive. The Masoretic Text of Jeremiah 31: 31–40 will be compared to the Targum of Jeremiah and to rabbinic sources.¹ Due to limited space, the most significant perspectives on the New Covenant will be presented in a thematic manner. The usefulness of the results will be discussed in the conclusion.

1 Midrashim and the Targum of Jeremiah as Commentaries

The Jewish practice of reading and interpreting the Torah depended upon the *written* Torah as well as the *oral* Torah. Both were considered to be given at Sinai² and regarded as authoritative.³ It is assumed by Jewish tradition that the oral Torah was transmitted verbally in an unbroken chain from generation to generation, until it was written down in the Second Temple period.

First, Targumim in Aramaic were introduced. They functioned as translations and interpretations at the same time. Then, interpretations of the written Torah were written down during the first six centuries CE, authorized by the

1 Targumim are difficult to date. They originated during the Second Temple period and were redacted over the course of several centuries, ranging from pre-Christian to post-Christian periods. Midrashim sources consulted in this research are dated post-Christian. Overall, we define ancient Jewish sources as the period before Islam spread throughout the Near East, from 650 CE. By that time, most ancient Jewish sources were written and compiled into writings. See Étan Levine, *The Aramaic Version of the Bible: Contents and Context*, BZAW 174 (Berlin: De Gruyter, 1988), 22–23.

2 M.J. Mulder, *Mikra: Text, Translation, Reading, and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity*, CRINT 2.1 (Assen: Van Gorcum, 1990), 551–52.

3 Jacob Neusner, *The Foundations of Judaism: Method, Teleology, Doctrine, part 1, Midrash in Context: Exegesis in Formative Judaism* (Philadelphia: Fortress, 1983), 128–29.

office of the rabbi. Due to competing schools of rabbis, plural interpretations were possible.⁴ These rabbinic commentaries and homilies were assembled in various Midrashim. Other, more systematic, studies were collected in the Mishna and commented upon in the Tosefta, Talmud and the Gemara (Bavli and Yerushalmi).⁵ Related to our pericope, the most relevant sources were found in the Targumim and Midrashim.

The Targum of Jeremiah is part of Targum Jonathan.⁶ During the translation process, unclear and ambiguous meanings are made plain through additions and paraphrases. These added materials make the Targum of Jeremiah a commentary on Jeremiah 31 of the Masoretic Text. The Aramaic text in Alexander Sperber's *The Bible in Aramaic* is the base of this study of Jeremiah 31: 27–40.⁷ In addition, the translation by Robert Hayward is consulted.⁸

This text is interpreted synchronically. The first Targum material originated during the Second Temple period and was redacted over several centuries. Due to multiple layers of redaction, it is challenging to date precisely.⁹ Despite this difficulty, my method of combining Targum Jeremiah with rabbinic commentaries is an effort to attain a certain level of diachronic perspective. The selected sources in totality reflect interpretations ranging roughly from the Second Temple period till the entrance of Islam. In the following sections, I will answer the question how ancient Jewish sources interpret the New Covenant based on Jeremiah 31: 27–40.

2 Renewal

First, this research's data point to an understanding of the New Covenant as *re-newed*. The Targum of Jeremiah 31: 31 translates as “*the New Covenant*” (קימא חדתא),¹⁰ while the Masoretic Text renders “*a new covenant*” (ברית)

4 Mulder, *Mikra*, 552.

5 John Bowker, *The Targums and Rabbinic Literature: An Introduction to Jewish Interpretations of Scripture* (London: Cambridge University Press, 1969), 3, 36, 40–69.

6 A general working definition of Targum is: “A Targum is a translation that combines a highly literal rendering of the original text with material added into the translation in a seamless manner.” Paul Virgil McCracken. Flesher and Bruce Chilton, *The Targums: A Critical Introduction* (Waco: Baylor University Press, 2011), 22–36.

7 Alexander Sperber, ed., *The Bible in Aramaic: Based on Old Manuscripts and Printed Texts*, vol. 3, *The Latter Prophets According to Targum Jonathan* (Leiden: Brill, 1992).

8 ArBib 12.

9 Levine, *Aramaic Version*, 22–23.

10 הֵא יוֹמִיָא אַתָּן אֲמַר יְיָ וְאֶגְזֹר עִם דְּבִית יִשְׂרָאֵל וְעִם דְּבִית חַדְתָּא קִימָא חַדְתָּא “Behold, the days are coming, says the Lord, that I will decree with *those* of the house of Israel and with *those* of the house of Judah *the New Covenant*” (Tg. Jer. 31: 31).

חדשה).¹¹ Seemingly, for the Targum's readers, a particular covenant was in view. What exactly does "new" mean for them? The following, 31: 32,¹² reveals that the Targum's choice of "changed" (אשניאו from the root שני) is milder than the Hebrew text's stronger use of "breaking" (הפרו). This semantic alteration ensures that hearers interpret it as an *adjustment* of an *existing* covenant, while the Masoretic Text is more ambivalent.

A few rabbinic sources reflect on what the "new" entails.

The midrashic source *Sifra* CCLXII: 1.13 refers to "the Book" Leviticus.

"... and I will confirm my covenant with you." It will not be like the original covenant, which you annulled, as it is said [quote Jer. 31: 31–32], but a new covenant, which will never be broken from now on, as it is said [quote Jer. 31: 31] – a new covenant.¹³

Jeremiah's passage is used to confirm that the covenant was already effective from Leviticus.¹⁴ Although it was broken from the people's side, the verse underlines continuity from God's side.¹⁵ It starts with: "... and I will confirm my covenant with you (והקימתי את-בריתי אתכם)", a quote from Leviticus 26: 3.¹⁶ This commentary combines two biblical passages to interpret newness as re-newal. It could very well be a reaction against the competing Christian claim concerning the New Covenant.¹⁷

Midrash Esther Rabbah VII.11, commenting on Esther 3: 7, argues that God is sovereign and will not allow anyone to destroy Israel.¹⁸ *Pesiqta deRab Kahana*

11 חדשה ברית (καινή διαθήκη in LXX 38) occurs only once in the OT. With regard to its usage in the NT, it is found in 1 Cor. 11: 25, 2 Cor. 3: 6, Luke 22: 20, and also Heb. 8: 8 and 12: 24.

12 לא כקמא דגזרית עם אבהתהון ביומא דאתקיפית בידהון לאפקותהון מארעא דמצרים דאינון אשניאו ית קימי ואנא אתרעיתי בהון אמר יי:

"Not like the covenant which I decreed with their forefathers on the day that I took (them) by their hand to cause them to come out from the land of Egypt, the covenant which they *changed* although I was *pleased* with them, says the Lord" (Tg. Jer. 31: 32).

13 Jacob Neusner, *Rabbi Jeremiah*, Studies in Judaism (Lanham: University Press of America, 2007), 123; Neusner, *Jeremiah in Talmud and Midrash: A Source Book*, Studies in Judaism (Lanham: University Press of America, 2006), 14.

14 Neusner, *Jeremiah in Talmud*, 14.

15 The use of the *Hiphil* indicates causality and help emphasize the action is from God's side to keep the covenant.

16 "And I will have regard for you and make you fruitful and multiply you, and will confirm my covenant with you" (Lev. 26: 3ff.).

17 Jerry L. Walls, ed., *The Oxford Handbook of Eschatology*, Oxford Handbooks (Oxford: Oxford University Press, 2008), 122.

18 *Esther Rabbah* VII.11. Commenting on Esther 3: 7, this rabbinic exegesis uses the casting of lot by Haman to teach that God is sovereign and no one can destroy Israel. Haman cast

XIX; V.3¹⁹ agrees with *Midrash Esther Rabbah*, proclaiming that God will *not* let the seed of Israel cease to exist. In this *Pesiqta A.R. Berkhiah* argued:

‘The Israelites were worthy of being annihilated in the time of Haman. But they relied on the judgment of the elder ...’ Have you forgotten what I said to you, ‘If heaven is measured or the foundations of the earth searched out beneath, then will I cast off all the seed of Israel for all that they have done, says the Lord’ (Jer. 31: 37). ‘Have you seen heaven measured or the foundations of the earth searched out? ... Jeremiah in God’s name promises that the Lord will never cast out Israel.’

The *Pesiqta* above may have used earlier rabbinic works such as *Mekhilta deRabbi Ishmael* XXII: I.6.²⁰ This source also connects God’s activity in sustaining nature with His faithfulness in continuing the covenant:

Simeon b. Yohai says, “The sun and the moon gave testimony concerning them:

‘Thus says the Lord, who gives the sun for light by day, who stirs up the sea, that the waves thereof roar, the Lord of hosts is his name: if these ordinances depart from before me, says the Lord, then the seed of Israel also shall cease from being a nation before me forever (Jer. 31: 35–56).”

a lot against Israel, but this evil lot was casted upon him. This discourse argues that God is sovereign and promised that

were it not for My covenant, day and night [and] the ordinances of heaven and earth I had not set (Jer. 33: 25). There is a covenant on their flesh, as it says, *And as for thee, thou shalt keep My covenant* (Gen. 17: 9), and it is written, *And my covenant shall be in your flesh*. There is also a covenant in their mouth, namely, the Torah, as it is written, *This book of the law* (in footnote added: And the Torah is called a covenant) *shall not depart out of thy mouth* (Josh. 1: 8), and I have said, *If heaven above can be measured, and the foundations of the earth searched out beneath, then will I also cast off all the seed of Israel* (Jer. 31: 37), and it is written, *Then the seed of Israel also shall cease from being a nation before Me forever, and this wretch seeks to destroy them! First uproot heaven and earth and then Thou canst consume them! ...*

Maurice Simon, trans., *Esther*, vol. 9 of *Midrash Rabbah*, ed. H. Freedman and Maurice Simon, 3rd ed. (London: Soncino, 1983), 86–87.

19 Some dates the composition around 700 CE, but other factors argue for a date of composition in the fifth or early sixth century, see Hermann L. Strack and Günter Stemberger, *Introduction to the Talmud and Midrash* (Minneapolis: Fortress, 1992), xx.

20 Neusner, *Rabbi Jeremiah*, 123; Neusner, *Jeremiah in Talmud*, 45.

Midrash Genesis Rabbah LXXVI, a treatment related to Genesis 32: 8(7), uses Jeremiah 31: 37 to encourage the Israelites in the same manner.²¹ The reader is asked whether they have “not learnt from the setting up of heaven and earth” that God can save Israel.

Midrash Leviticus Rabbah xxxv:iv is in the same line of thought, quoting Jeremiah 33.

The text points to the faithfulness of God:

Another interpretation: “If you walk in my statutes” [Lev. 26: 3].

[God speaks,] “The statutes by which I ordained heaven and earth. If my covenant is not with day and night, if I have not made the statutes governing heaven and earth” [Jer. 33: 25].

“The statutes by which I ordained the sun and the moon, as it is said, ‘Thus said the Lord who gives the sun for a light by day, the statutes of the moon and the stars for a light by night’” [Jer. 31: 35].

“The statutes by which I ordained the sea: ‘When he set the statutes for the Sea’” [Prov. 8: 29].

“The statutes by which I ordained the sand: ‘Who set the sand for the boundary of the sea, an everlasting statute’” [Jer. 5: 22].

“The statutes by which I ordained the deep-” (Prov. 8: 27).²²

Again, nature is used as an argument in support of the truthfulness of the Lord. *Midrash Numbers (Bemidbar)* 1.3 even exaggerates in a hyperbole by stating, “... were it not for Israel no rain would fall or would the sun shine.”²³ The Midrash claims that if Israel ceases to be a nation, the sun will cease to shine. This rabbinic explanation stresses once again that God’s promise to keep Israel alive forever will surely come to pass. Based on the continuation of creation, it is clear that God will continue His covenant with Israel.

I return to the Targum before summing up the current section on *renewal*. The plural *covenants* (in Targum of Jeremiah 31: 36) is a Targumic interpretation

21 H. Freedman, trans., *Genesis*, vol. 2 of *Midrash Rabbah*, ed. H. Freedman and Maurice Simon, 3rd ed. (London: Soncino, 1983), LXXVI.1, 701.

22 The rendering “If you walk in my statutes,” the word statute *הקד* is being treated with several biblical passages and used as proof text to argue that the statutes are the same as those governing all creation. In: Neusner, *Jeremiah in Talmud*, 147.

23 Cf. Gen. R. XXXIX, 12.

of the Masoretic Text which has “covenant.”²⁴ Hayward describes in *Divine Name* how Targumists connect ideas from Leviticus 26: 42 with Genesis 15: 4, 7, 18; 28: 10–22; 22: 1, 3, 16–18 to form a *covenantal theology*.²⁵ Covenants are expressions of a continuous relationship. It comes from God whose oath is a guarantee. The response of the people confirms its continuity: “It was ratified at Sinai and renewed in Israel’s worship that the Feast of Shabu’ot, the Feast of Oaths ...”²⁶ Hayward argues that the New Covenant is a renewed covenant.²⁷

In sum, the Targum of Jeremiah and rabbinic sources both reflect a holistic theology and cosmology: God has covenants with nature which He keeps faithfully as all humans can witness. Due to this, all His covenants with Israel are logically guaranteed and valid. The sources noted above emphasize a *renewed* covenant; this emphasis could very well have been developed in response to the Christian claim that the New Covenant was for Gentiles. Jewish interpretations argue instead that it is *their* existing covenant which is being renewed.

3 Eschatology

Second, the data point to an understanding of the New Covenant as *eschatological*. The Targum of Jeremiah 31: 31 renders “I will decree” (ואגזר) an imperfect, which usually points to the future.²⁸ Verse 34 uses several imperfects to put these events in the days to come.²⁹

24 כמא דלית אפשר דיעדון קימא האליון מן קדמי אמר יי אף זרעא דישראל לא יבטלון מלמהוי עם משמיש
קדמי כל יומיא “Just as it is impossible for these covenants will pass away from before me,
says the Lord, likewise the seed of Israel will not cease to be a people *serving* before me,
all of the days” (Tg. Jer. 31: 36).

25 He used both the Fragmentary Targum, ed. M. Ginsburger, FT(G) and Codex Neofiti 1, N but expanded to other Targumim and Rabbinic sources, Pseudipigrapha and Qumran sources too to build his arguments, see Robert Hayward, *Divine Name and Presence, the Memra*, Publications of the Oxford Centre for Postgraduate Hebrew Studies (Totowa: Allanheld, Osmun, 1981), 57–94, esp. 72 and 84.

26 Hayward, *Divine Name*, 91.

27 In relation to Gen. 22: 1–18 God “renews his covenant with Abraham which he previously made.” Hayward, *Divine Name*, 80.

28 “Behold, the days are coming, says the Lord, that I will decree with *those* of the house of Israel and with *those* of the house of Judah *the New Covenant*” (Tg. Jer. 31: 31).

29 ולא ילפון עוד גבר ית חברה וגבר ית אחוהי למימר דעו למדחל מן קדם יי ארי כלהון יילפון למדע
דחלתו למזעירהון ועד רבהון אמר יי ארי אשבוק לחוביהון ולחטאיהון לא ידכרון עוד
א man to his fellowman and a man to his brother – will no longer teach, saying, ‘Know

Besides the Targum, this future aspect is supported by several rabbinic sources. *Midrash IX Song of Songs Rabbah* 11.ii discusses the first giving of the Torah (Exod. 20: 1). People wondered whether Moses could help them not to forget the Torah by giving it for the second time through his mouth, quoting Song of Songs 1: 2, "O that you would kiss me with the kisses of your mouth." Moses replied, "that cannot be now, but it will be in the age to come," Jeremiah 31: 33 is quoted³⁰ to place the realization of Jeremiah's prophecy in the future.

In *Midrash Ecclesiastes* 11.1, the understanding of writing on the heart is put in the world to come. Rabbi Hezekiah in name of R. Simon b. Zabdi explained that "vanity" (הבל) means that man will learn the Torah in this world but forget it. However, in the world to come, "the Evil Inclination will yet be dissolved before the Good Inclination." Because in Jeremiah 33: 33 it is written, "I will put My law in their inward parts," the Torah having been placed there by God, it can never be forgotten.³¹ The text acknowledges people's propensity to forget the Torah, but the rabbi nowhere discourages the study of the Torah. Human weakness is a given, but believers were *encouraged by the hope* for a future final resolution and salvation. This future orientation suggests an eschatological perspective.

Midrash IX Song of Songs Rabbah cxv: ii. argues that the writing of the book of remembrance (ספר זכרון) in Malachi 3: 16 means writing on the heart as in Jeremiah 31: 33. This writing on the heart is intended for "those who fear the Lord and thought of his name." This is contrasted with "evildoers" in light of the immediate context of Malachi 3: 19 (4: 1). The sentence "and behold the day is coming" (כִּי־הֵנָּה הַיּוֹם בָּא) also supports Jeremiah 31: 33 to be interpreted in eschatological perspective.³²

(how) to fear from before the Lord', because all of them will learn to know the fear of me, from their smallest of them to their greatest of them, says the Lord; for I will forgive their debts and their sins, they will not be remembered anymore" (Tg. Jer. 31: 34).

30 Neusner, *Jeremiah in Talmud*, 204.

31 A. Cohen, trans., *Ecclesiastes*, vol. 8 of *Midrash Rabbah*, ed. H. Freedman and Maurice Simon, 3rd ed. (London: Soncino, 1983), 51.

32 Neusner, *Jeremiah in Talmud*, 214–15.

Pesiqta deRab Kahana XII:XXI³³ explains that the Torah was given once and for all at Sinai.³⁴ God's people study it, but may forget. The New Covenant's hope is that when God personally teaches them, they will never forget. It is a promise about the world to come.³⁵ An interesting sub-point arises in the exegesis at this point. It seems that in the world to come "learning" does not stop. In the future, the study of *the Torah* continues. The Targum of Jeremiah 31: 34 adds "learn to know the fear of me." This suggests that the study of God *Himself* will still be a learning process in the world to come.

In sum, the newness of the covenant lies in the fact that one will not forget because God personally teaches. Both the Targum and rabbinic sources put the New Covenant in the future. Although the Targum is hard to date, it is likely that rabbinic interpretations are influenced by Targumim readings. Based on cumulative evidence, this future is often understood as eschatological, a time in which God Himself will intervene.

4 For Israel; Gentiles Not Mentioned

Third, the New Covenant does not seem to be for Gentiles according to the Jewish sources that were consulted. Based on an argument from silence, the future events occur mainly in Jerusalem and its surroundings, rendering it a deed only for the local Israelites.

33 "[In the third month after Israel had left Egypt], on that day they came to the wilderness of Sinai. Did they come on that day in particular? [Hardly!] [Rather, it is as if God said this to them], 'But when you study my words, let them not appear to you as though they were old, but rather as though the Torah was given today.'

What is written here is not *that* day but *this* day. [God says.] 'In this world I gave you the Torah, and individuals work hard at it, but in the world to come, I shall personally teach it to all Israel, and they will study it and not forget.' For it is said, 'For this is the covenant which I shall make with the house of Israel after those days, says the Lord, I shall put my Torah in their heart and I shall write it on their heart, and I shall be for them as God and they shall be for me as a people' (Jer. 31: 32). 'And not only so, but I shall bring encompassing peace among them, as Isaiah said, "And all your children will be taught by God and great will be the peace of your children" (Isa. 54: 13).' Neusner, *Jeremiah in Talmud*, 157.

34 In the Jewish worldview, there is no before and no after. Although you may forget, the more then take it in today, for God's Word is as instantly given to you as at Sinai.

35 *Pesiqta* are homilies used for festivals to be recited on Sabbath. Regarding dating, Buber collected these citations of homilies (1873) and the oldest tracing of the cycle of Gaon Mar Rab Kahana in Pumbeditha is around 800 CE. See Günter Stemberger, *Einleitung in Talmud und Midrasch*, 9th ed. C.H. Beck Studium (München: Beck, 2011), 202–3.

First of all, by using a milder verb “changed” (the Targum of Jeremiah) instead of “breaking” (MT),³⁶ the Targum pictures the people of Israel as less rebellious and less disobedient (see the verse in footnote 12). The polarization of groups is a running motif in the Targumim: besides picturing a positive Israel, the demonization of enemy groups is part of the translation technique.³⁷ The translation “I was pleased” also makes Israel look more favorable. At the same time, it may have the effect of avoiding a human-like relationship. In 31: 32, another verb **אתרעיתי** is chosen, meaning “to complete with satisfaction” or “find acceptable.”³⁸ It connotes an *action* rather than an emotion. Is this due to an avoidance of anthropopathism? Van Staaldvine-Sulman argues that “in targumic literature the feelings of God ... are restricted and often even discounted.”³⁹ However, there are scholarly disagreements concerning anthropomorphism and anthropopathism. Michael L. Klein proposes an alternative explanation, arguing that the so-called anti-anthropomorphism alterations are not theologically motivated. It is inherent to the idiomatic variance between Hebrew and Aramaic in which the translation technique is used *both* for humans and God. Based on an extensive list of textual evidence he argues that it “occurs as an expression of deference to a respectable person or institution.”⁴⁰ However, his findings are based on Targum Onkolos alone. It would be interesting for future research to determine if the same can be concluded for Targum Jonathan, where our pericope is found.

In the last part of our pericope, verses 38–40, the Targum contemporizes aspects of people, times and places to ensure that the audience would attain an unambiguously concrete understanding. Verse 38 demonstrates this, as “Piqqus” is used instead of “Hananel.”⁴¹ Piqqus is actually Hippicus, a tower built by Herod the Great.⁴² The other addition is “Jerusalem,” a word not present in the Masoretic Text. Translating this way, the renewed covenant is claimed

36 This milder rendering is also used in Tg. Jer. 14: 21 “... do not alter your covenant with us.”

37 Staaldvine-Sulman, “Animosity in Targum Literature,” in *Animosity, the Bible, and Us: Some European, North American, and South African Perspectives*, ed. John T. Fitzgerald, Fika J. van Rensburg, and Herrie F. van Rooy, GPBS 12 (Atlanta: Society of Biblical Literature, 2009), 92, 99; Cf Hayward, *Divine Name*, 89.

38 MT renders **בעלתי** “I was husband-Lord.”

39 Staaldvine-Sulman, “Animosity,” 99.

40 Michael L. Klein, *Anthropomorphisms and Anthropopathisms in the Targumim of the Pentateuch: With Parallel Citations from the Septuagint* (Jerusalem: Makor, 1982), v–xxvi.

41 **הא יומיא אתן אמר יוי ותתבני קרתא ירושלם קדם יוי ממגדל פקוס תרע זויא** “Behold, the days are coming,” says the Lord, “when the city *Jerusalem* shall be rebuilt *before* the Lord, from the tower of *Piqqus* up to the corner gate.” (Tg. Jer. 33: 38).

42 Josephus, *Jewish Wars* 2.178, §144.

for the local Israelites. In verse 39⁴³ the translator uses “the calf-pool” instead of the Hebrew “Goah.” This seems like an unknown location.⁴⁴ It could indicate a lower pool where Israelites let the cattle eat and drink, but there are multiple ones. Only the reader at that time knew exactly.⁴⁵ In verse 40 the Masoretic Text’s “and the whole valley of the corpses and the ashes” is changed into “the place where the corpses of the camp of the Assyrians fell,” in the Targum.⁴⁶ This renders a prophecy into a historical event to which people can relate and commemorate. The Targum translated the text in such a way that it became a place recognized by the audience. Continued in verse 40 the Masoretic Text has “and all the fields.” The Aramaic added “all the brooks up.” It is probably a known brook to the hearers. In verse 40 “the place of the king’s race-course” was added erroneously. Some say it points to Solomon’s or Herod’s race course, but according to Smolar and Aberbach this is a wrong identification; it refers to another place south of the temple area.⁴⁷ Moreover, the Hebrew rendered “up to the corner gate of the horses” without mentioning a king at all.⁴⁸

In sum, verses 38–40 in the Targum of Jeremiah clarify and contemporize aspects of people, time and place. In doing so, the texts match the frame of reference of believers at that time. The New Jerusalem does not seem to be universal. Gentiles are mentioned neither in the Targum nor in the rabbinic sources related to the New Covenant in Jeremiah 31. It seems to be intended for Israel alone. In their view, it is the same God, giving a renewed covenant only to the same group of people.

5 Discussion and Conclusion

The Targum’s translators assumed that readers knew what was meant by *the New Covenant*. Additions made scripture relevant and applicable for the

43 ויהי נפיק עוד חוט משה בנינא לקבליה עד מטי לגבעתא דסמיכא לגרב ויהי מסתחר לבריכת עגלא: “And the measuring rope of the building will happen to go out in front of it until it approaches the hill which is close to Gareb, and it will be turned round to the calf-pool” (Tg. Jer. 33: 39).

44 J.A. Thompson, *The Book of Jeremiah*, 583, quoted in ArBib 12, 135n36.

45 ArBib 12, 135.

46 וכל מישרא אתר דנפלו תמן פגרי משרית אתוראה וכל אדיתא עד נחלא דקדרון עד זזית תרע בית ריסא: “And every valley, the place where the corpses of the camp of the Assyrians fell, and all the brooks up to the Wadi of Kidron, as far as the corner gate, the place of the king’s race-course eastward, shall be holy before the Lord: it shall not be uprooted, nor shall it be destroyed forever” (Tg. Jer. 33: 40).

47 Leivy Smolar, Moses Aberbach, and Pinkhos Churgin, *Studies in Targum Jonathan to the Prophets*, Library of Biblical Studies (New York: Ktav: 1983), 119.

48 ArBib 12, 135.

audience in the synagogue. Rabbinic sources in general tend to agree with the Targum's interpretations. This research reveals that ancient Jewish sources form an *alternative* interpretation to Christian readings. Before we interpret the same text for our own times, we must first become aware of these Jewish interpretive traditions. In conclusion, what have we learned from this research?

First, the Jewish *holistic* worldview could serve as an interesting perspective in understanding the covenant theme. Theological frameworks often refer to the Abrahamic, Mosaic or Davidic covenants. Perhaps this is due to a legacy of systematization and our need to use abstractions. Alternatively, Jewish interpretations treat the New Covenant more as a *relationship* and not as an abstract theological concept. A continuous bond between Abraham and the current generation rendered new as renewed, not replaced. Breaking of this covenantal relationship only takes place from the people's side.

Second, this research *facilitates Jewish-Christian dialogue*, because it enables one to look from the perspective of the other. A superficial peace leaning towards philosophical relativism can be a starting point, but a more sustainable understanding of ancient texts can be accomplished through genuine inter-religious dialogue. Based on sound argumentation, each tradition keeps its core identity while honestly engaging in mature dialogue with the other. Mutual understanding and respect between Jews and Christians can be maintained while differences and commonalities are respected based on theological content.

Finally, we learn that the New Covenant is perceived as a renewed continuation of a long existing relationship with Israelites. Gentiles – although from an *argumentum ex silentio* – were not mentioned in the several Jewish sources *related to this pericope*. Paradoxically as it seems, this alternative Jewish interpretation of the New Covenant does not mean God's promise is irrelevant for non-Jews and Christians. Jewish New Testament authors used additional passages to argue that Gentiles are also grafted into the promise of the New Covenant. The Jewish scholar Paul used a *gezera shava* exegesis technique, linking the words "writing," "tablet," "stone," "heart," and "spirit" from several passages in Deuteronomy, Exodus, Ezekiel, and Jesus' teaching on the New Covenant (1 Cor. 11 and 2 Cor. 3) to form a Christian theology.⁴⁹ In ancient times God's covenant was also for Gentiles (who were willing to accept it). God has one promise and one relationship to His people, and to all people. The importance here is to understand the New Covenant in the latter days as a renewal of a long existing, continued former promise.

49 Due to limited space I refer to my other paper, available on request: Aaron C.F. Wan, "Jewish Reception History and 2 Cor. 3; a short paper in the course Versions and Commentaries" (paper, Free University Amsterdam, 2017).

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From Zurich to Westminster: Covenant as Structuring Principle in Reformed Catechisms

Daniël Timmerman

1 Introduction

The various contributions in the present volume elucidate the rich and multifaceted meaning of the concept of covenant in Scripture and in contemporary systematic-theological reflection. For exegetes and theologians in search of new definitions and actualizations of this concept, it may prove to be stimulating, or even necessary to inform themselves also about the interpretations and applications of the notion of covenant in the history of church and theology. The present contribution aims to provide readers of this volume with an introduction to a particularly prolific chapter of this history: the emergence in the sixteenth and seventeenth centuries of (what we now call) Reformed federal theology.

The development of covenant theology in the Reformation and Post-Reformation era has been the subject of intense scholarly study and debate.¹ In view of the wealth of available sources and research literature, the present article attempts to sketch this development from a limited, yet fresh perspective: the covenant in catechetical texts from the Reformed tradition. It is generally known that the sixteenth and seventeenth centuries witnessed an ever-increasing systematization of covenant theology. This development is reflected in, and perhaps even influenced by, the structuring function of the concept of covenant in works of catechesis. The following enquiry intends to give a first exploration of this subject, while at the same providing an outline of the development of Reformed federal theology. Within the scope of this paper, many aspects of the scholarly discussion must be omitted.²

- 1 E.g. J.F. Gerhard Goeters, "Föederaltheologie," in *Theologische Realenzyklopadie*, ed. Gerhard Krause and Gerhard Muller (Berlin: de Gruyter, 1977); David Fergusson, "Bund. V. Christentum," in *Religion in Geschichte und Gegenwart*, ed. Hans Dieter Betz, 4th ed. (Tübingen: Mohr Siebeck, 1998–2007).
- 2 For further orientation on the state of research, see e.g. Brian J. Lee, *Johannes Cocceius and the Exegetical Roots of Federal Theology: Reformation Developments in the Interpretation of Hebrews 7–10*, RHT 7 (Göttingen: Vandenhoeck & Ruprecht, 2009); Peter A. Lillback, *The*

A few preliminary remarks are in order with respect to the structure of early modern catechisms. The sixteenth century witnessed the birth of catechisms as a distinct genre of printed introductions to the essential elements of Christian faith and praxis.³ Following their medieval precursors, across confessional borders, these works generally discussed the same main elements: the Creed, the Law, the sacraments and the Lord's Prayer (although sometimes in a different order).⁴ As the early and influential example of Luther's 1529 Shorter and Larger Catechisms show, the earliest catechisms consisted of rather loosely connected discussions of these foundational Christian texts and symbols. Yet, for theological and/or didactical reasons authors soon added layers of interpretation to their exposition of these main segments of religious instruction. Over time, it even became fashionable to unfold works of catechesis from a central theological or anthropological viewpoint.⁵ The most famous example is found in the 1563 *Heidelberg Catechism*, in which the traditional catechetical elements are concentrated around the central motif of the Christian's "comfort."

Some catechetical authors in the Reformed tradition found a central viewpoint in the notion of covenant. This is a remarkable development, because other than in the specific context of the sacraments, the traditional catechetical material does not prompt a reference to the covenant. Also, even within the Reformed tradition, not many catechisms use covenant as a structuring principle for the whole of Christian doctrine. When it does appear as an organizing element in a catechism, this arguably unveils a central theological concern of the author(s). Moreover, the appearance of covenant provides a particularly interesting window on the systematic function of this concept in an exposition of doctrine. Therefore, the present enquiry will draw attention to the specific subset of Reformed catechisms in which the concept of covenant is used as a structuring principle.

The catechisms of the church of Zurich provide a natural point of departure for this enquiry. It is well-known that this city, with Huldrych Zwingli

Binding of God: Calvin's Role in the Development of Covenant Theology, TSRPT (Grand Rapids: Baker, 2001); Andrew A. Woolsey, *Unity and Continuity in Covenantal Thought: A Study in the Reformed Tradition to the Westminster Assembly*, Reformed Historical-Theological Studies (Grand Rapids: Reformation Heritage, 2012).

3 Lee Palmer Wandel, *Reading Catechisms, Teaching Religion*, BSIH 250 (Leiden: Brill, 2016), 1–36.

4 Wandel, *Catechisms*, 37–70.

5 Following Otto Weber research has labelled this an "analytical" approach, as opposed to the "synthetic" approach of e.g. Luther's catechisms. For a critical assessment of these labels, see Eberhard Busch, *Drawn to Freedom: Christian Faith Today in Conversation with the Heidelberg Catechism* (Grand Rapids: Eerdmans, 2010), 19–21.

and Heinrich Bullinger as its leading theologians, was one of the main source areas for the development of Reformed federal theology. Moreover, the city's first catechisms, which were authored by Leo Jud in the 1530s, are the first in the Reformed tradition to employ the concept of covenant as a structuring principle. Therefore, the following section will discuss Jud's catechisms in some detail. Subsequently, attention is given to two Latin catechisms from around 1560, written respectively by Bullinger and Zacharias Ursinus. Finally, an impression of a mature Reformed federal theology is given by considering three catechetical works from Scotland and England.

2 Leo Jud's Catechisms from the 1530s

2.1 *The German Catechisms (1534, 1535)*

The first catechisms of the Zurich church were authored by Leo Jud, a leading preacher and loyal, yet independent propagator of Zwingli's reformation. At the behest of his fellow clergy, he published a first and extensive catechism in 1534 which was known from the second edition onward as the *Grösser Catechismus*.⁶ Shortly afterwards (probably in 1535), Jud published an abridged and adapted version, the *Kürtzer Catechismus*.⁷

The *Grösser Catechismus* follows the basic outline of Luther's 1529 Shorter Catechism.⁸ The discussion opens with the Decalogue, followed by the Creed, the Lord's prayer, and the sacraments. However, moving beyond the example of Luther, Jud adds an introductory section "on the will of God" preceding the discussion of the Ten Commandments. There, the Zurich preacher explains that

6 First edition: Leo Jud, *Catechismus: Christliche klare vnd einfalte ynleytung in den Willenn vnnd in die Gnad Gottes* [...]. [Zurich: Christoph Froschauer sr., 1534]. doi:10.3931/e-rara-20996. Modern German translation in Leo Jud, *Katechismen*, trans. Oskar Farner, Veröffentlichungen der Rosa Ritter-Zweifel-Stiftung: Religiöse Reihe (Zurich: Niehans, 1955), 23–239. For backgrounds, see August Lang, *Der Heidelberger Katechismus und vier verwandte Katechismen (Leo Juds und Microns kleine Katechismen sowie die zwei Vorarbeiten Ursins)*, QGP 3. (Leipzig: Deichert, 1907), xx–xxix; Karl-Heinz Wyss, *Leo Jud: Seine Entwicklung zum Reformator 1519–1523*, Europäische Hochschulschriften 3.61 (Bern: Lang, 1976), 203.

7 The oldest extant edition is from 1537 (VD16 J 1012), citations follow the 1538 edition: Leo Jud, *Der kürtzer Catechismus: Ein kurtze Christenliche underwysung der jugend* [...] von den dieneren deß worts zuo Zürich gestelt in fragens wyß. (Zurich: Christoph Froschauer sr., 1538). doi:10.3931/e-rara-814. For backgrounds, see Lang, *Heidelberger Katechismus*, xxix–xxxix; Wyss, *Jud*, 205. Modern German translation in Jud, *Katechismen*, 241–353.

8 For Luther, see Daniël Timmerman, "Wet en evangelie in de catechismi van Luther en Jud" [Law and gospel in the catechisms of Luther and Jud], in *Dan is het aardse leven goed: Theologische opstellen aangeboden aan Dr. Ad van der Dussen* [Then life on earth is good: Theological essays presented to Dr Ad van der Dussen], ed. Jaap Dekker, Kees de Groot and Jan van Helden, TU-Bezinningsreeks 22 (Amsterdam: Buijten & Schipperheijn, 2019), 184–87.

knowledge of God's will is imparted to believers in God's covenant revelation. The introduction of the concept of covenant is prompted by impulses from Zürich theological context. The city's leading reformer, Huldrych Zwingli, had employed this concept in his defense of infant baptism. Moreover, Zwingli's successor Heinrich Bullinger published a separate treatise "on the one and eternal covenant of God" in 1534 (*De testamento*).⁹ Following Bullinger, Jud defines the substance of this covenant with the words of Genesis 17:1–2, where the Lord reveals himself as "the fountain and origin of every good thing," who is "willing and inclined to help all people, and to this end has the authority and power." In other words, covenant is a paraphrase of God's nature and his benevolence towards his people. Still in line with Bullinger, Jud sees the first commandment of the Decalogue as "the first article of the covenant" of God with his people. With the words "I am the Lord your God," God draws his people to himself, and "incites their hearts to listen sedulously to him, to commemorate his good deeds which he has shown them thus far, and not to neglect such a God, but to love and adore him above all things."¹⁰

In the *Kürtzer Catechismus* of 1535 this structuring function of the covenant is further developed. Jud now expands his introduction to the Decalogue into a separate chapter "on God and his covenant with us." Surprisingly, this new chapter opens with a discussion of human nature.¹¹ The child who receives instruction in Christian doctrine is encouraged to think of itself as someone created by the unutterable goodness and grace of God and bearing his image. Although this image is destroyed by the work of the devil, it can be restored by the grace of God. This gives life a new purpose. "To what end has God created you, and should you always be in this world?" The answer is that believers exist to know God, to live for him, and to enjoy him forever.¹² Here, in view of subsequent federal theology, it is important to note that Jud does not describe the pre-fall relationship between God and the *protoplastes* in terms of covenant.

After this exposition of the nature and purpose of human life, the catechism turns to the main topic of the introduction: God's covenant with

9 *De testamento seu foedere Dei unico et aeterno*. References to this work follow the translation in Charles S. McCoy and J. Wayne Baker, *Fountainhead of Federalism: Heinrich Bullinger and the Covenantal Tradition; With a Translation of 'De testamento seu foedere Dei unico et aeterno' (1534) by Heinrich Bullinger* (Louisville: Westminster John Knox, 1991), 99–138. For discussion, see e.g. Joe Mock, "Biblical and Theological Themes in Heinrich Bullinger's 'De Testamento' (1534)," *Zwingliana* 40 (2013): 1–35.

10 Jud, *Grösser Catechismus*, fol. a3r–a5v. See also Bullinger, *De testamento*, transl. McCoy and Baker, 103–8.

11 For discussions of the motive of *imago Dei* in relation to a covenant of works, see the contributions by Pierrick Hildebrand and Matthias Mangold in the present volume.

12 Jud, *Kürtzer Catechismus*, fol. a2r–3v.

his people. The discussion again departs from God's covenant-revelation to Abraham in Genesis 17. Reflecting Bullinger's discussion in *De testamento*, Jud now describes the two "articles" of God's covenant. First, God promises to be the God of Abraham and his offspring. This "covenant and friendship" with Abraham extends to all who believe in God and have likewise become his friends.¹³ In this sense, the covenant also appears in the chapter on the sacraments. Jud sees baptism and the Lord's supper not only as a sign of the believers' obligation to God (*pflichtzeichen*), but also a sign of God's commitment to Abraham and to all believers (*pundtszeychen*).¹⁴ The second article of the covenant demands that people believe God's covenant promise and exert themselves to live piously and honestly before God, in accordance with his commandments.¹⁵ In other words, for Jud, covenant defines the relationship of God to his people. In this relationship, God's promise of blessing comes first, immediately followed by the believers' response of faithful obedience.

Within the catechism as a whole, this introductory definition of God's covenant relationship has an important theological function. For the Zurich reformers it was clear that the Creed, as an expression of faith in the gospel, should have theological priority over the law, as an expression of the will of God for his people. The same subject was being discussed by Luther and his followers, among whom Melancthon and others argued that the preaching of the law would have theological and temporal precedence over the proclamation of the gospel.¹⁶ In contrast, Bullinger already, in 1527, distanced himself from "those, who in our times, relate everything to law and gospel." Rather, he emphasized that Scripture has a single scope: "the almighty God, has entered with humanity into an eternal testament (*testamentum*), treaty (*pactum*) or covenant (*foedus*)."¹⁷ Not unlike Luther's 1529 Shorter Catechism, Bullinger argued that the law is in itself an expression of the gospel, since the first commandment contains God's gracious self-revelation to his people.¹⁸ We have seen that Jud adopted this understanding of the Decalogue in his *Grösser Catechismus*, a position to which he returns in his shorter catechism. However, Jud expands and emphasizes this line of reasoning by inserting a chapter on the covenant before his discussion of the Ten Commandments. This introductory

13 Jud, *Kürtzer Catechismus*, fol. 3v–4v. See also Bullinger, *De testamento*, transl. McCoy and Baker, 111–13.

14 Jud, *Kürtzer Catechismus*, fol. f2r.

15 Jud, *Kürtzer Catechismus*, fol. a5v–6r.

16 See Bernhard Lohse, *Luthers Theologie in ihrer historischen Entwicklung und in ihrem systematischen Zusammenhang* (Göttingen: Vandenhoeck & Ruprecht, 1995), 196–98.

17 *HBW* Sonderband 1, 74.

18 See Timmerman, "Wet en evangelie," 185–87.

chapter thus stresses the idea that faith in God's promise precedes obedience to his revealed will.

Jud returns to this understanding of covenant in the *Kürtzer Catechismus* at the intersection of the chapters on the Decalogue and the Creed. In a rather lengthy discussion of the function of the law in Christian life, he surprisingly introduces the notion of the law as the means by which sinners are brought to the mortification of the flesh and faith in the gospel.¹⁹ This notion was not present in Bullinger's *De testamento*, but it is well-known in the contemporary Lutheran discussions of the relation between law and gospel. Jud incorporates this function of the law in the framework of his catechism, but as such it stands disconnected from the previous and subsequent discussion of the covenant and the Decalogue. It is likely to reflect an important aspect of Jud's theology.²⁰ Without further explanation, the discussion in the catechism then returns to the positive role of the law in the life of believers, arguing that obedience to the commandments is part of God's friendship with his people, that is, his gracious covenant (*gnaden pundt*). The substance of this covenant is now defined with words from Colossians 1: 13–14: "He has rescued us from the power of darkness and transferred us into the kingdom of his beloved Son, in whom we have redemption, the forgiveness of sins." This covenant entails the replacement of the believers' heart of stone by a soft heart, which by the Spirit of God has the will, delight and love to obey God's law.²¹ In this way, the image of God is restored in the believers. In sum, it appears that Jud, on the one hand, faithfully represented Bullinger's understanding of the relation between covenant and law. On the other hand, the discussion of the various functions of the law reveals that Jud's theological interests moved beyond, and sometimes were discordant with, the existing covenant scheme.

2.2 *Jud's Adaptation of Calvin's Catechism (1539)*

Around 1539 Leo Jud published yet another catechetical work.²² His *Brevissima formula* was written in Latin for the benefit of the students at the Zurich Latin school. In the preface, Jud reveals that he compiled his work from

19 The discussion interrupts the line of thought and takes up 19 pages, compared to 5 on the Decalogue and 21 on the Creed (Jud, *Kürtzer Catechismus*, fol. b5r–c7r).

20 For a similar observation, see Christian Hild, *Die Reformatoren übersetzen: Theologisch-politische Dimensionen bei Leo Juds (1482–1542) Übersetzungen von Zwinglis und Bullingers Schriften ins Lateinische* (Zurich: TVZ, 2016), 347.

21 Jud, *Kürtzer Catechismus*, fol. b8r–v. These Pauline words occur frequently in Jud's works and may be seen as characteristic of his theological outlook.

22 Leo Jud, *Catechismus: Brevissima christianae religionis formula, instituendae iuventuti Tigurinae catechizandisque rudibus aptata* [...]. Zurich: Christoph Froschauer sr., [1539]. doi:10.3931/e-rara-1811. On this work, see Wyss, *Jud*, 207.

“certain institutes (*Institutiones quasdam*) of the Christian religion,” which were “recently” published by John Calvin.²³ This should be taken as a reference to both the first edition of Calvin’s Institutes (1536) and to his Latin Catechism (1538).²⁴ For present purposes it is illuminating to review the structuring function of covenant in Jud’s *Brevissima formula* in comparison to these two works by Calvin. Such a comparison is plausible because all three works follow the basic outline of Luther’s 1529 Shorter Catechism.²⁵ Moreover, each work has an introductory section leading up to the discussion of the first commandment. Looking from the vantage point of Jud’s previous German catechisms, it is in these introductions that the structuring function of the covenant may be expected to appear.

Turning attention to Calvin’s two works of instruction, it soon appears that the notion of the covenant does not figure prominently. The first chapter of Calvin’s 1536 *Institutes*, leading up to the discussion of the Decalogue, famously starts with the theme of the twofold knowledge of God and of ourselves. The covenant is only mentioned in passing, in relationship to the redemptive work of Christ.²⁶ In the first sections of Calvin’s 1538 catechism the notion of covenant does not appear at all. It does figure in the preface, where the example of the “renewal of the covenant by the holy kings, Josiah and Asa” is presented to persuade the people of Geneva to commit themselves by oath to the new confession.²⁷ However, in both works of Calvin the concept of covenant does not play a prominent role in the introductory sections.²⁸

By contrast, Jud introduces the notion of the covenant at a pivotal point in the introduction of the *Brevissima formula*. Despite his assertion that he had changed or added very little to Calvin’s original,²⁹ Jud does clearly interrupt Calvin’s line of reasoning. In Calvin’s 1538 catechism the observation of God’s

23 Jud, *Brevissima formula*, fol. a2r–v.

24 Jud’s adaptation mainly follows Calvin’s 1538 catechism. However, at crucial points he also adduces material from the Institutes. E.g. Jud, *Brevissima formula*, fol. a5r, rendering Calvin’s famous passage on the “cognitio dei et nostri.” Here I disagree with Lang, *Heidelberger Katechismus*, xxxi–xxxii.

25 Calvin’s first edition of the *Institutio* from 1536 bears closely resemblances with the catechetical genre and follows the basis outline of Luther’s 1529 Shorter Catechism. See Herman Selderhuis, ed., *The Calvin Handbook* (Grand Rapids: Eerdmans, 2009), 199–200, 206.

26 CO 1, 27–32, esp. 30.

27 CO.R 3.1, 1–10. English translation by Ford Lewis Battles, “Calvin’s Catechism of 1538,” in *Calvin’s First Catechism: A Commentary*, by I. John Hesselink, CSRTh (Louisville: Westminster John Knox, 1997), 1–31.

28 For Calvin’s positive relation to the Zurich covenant tradition, see Selderhuis, *Calvin Handbook*, 235–40; Lillback, *Binding*.

29 Jud, *Brevissima formula*, fol. a2r–v.

unfathomable majesty leads to a discussion of creation and Scripture as the two places where knowledge of God can be found.³⁰ Here, Jud inserts a section in which he argues that God's covenant is the first locus for finding such knowledge. "God makes himself known and provides us with sufficient knowledge. Indeed, he calls back those who flee from Him. He draws them near by promising to give himself entirely to us and to enter into a covenant with us. For it delights him to be with the children of men." In addition, Jud inserts an extra question in which the nature of this covenant is described in terms familiar from the German catechisms. Covenant reveals God as the abundant source of goodness and benevolence towards humans, just as it instructs them to walk in piety and uprightness before him.³¹ Only after this question does Jud return to Calvin's outline with a discussion of creation and Scripture.

The insertion in Calvin's line of thought not only elucidates Jud's profile as an editor of theological texts,³² but also highlights the importance of the concept of covenant in his presentation of Christian doctrine. Moreover, the *Brevissima formula* also indicates a degree of systematic reflection on the covenant beyond the original position of Bullinger. In *De testamento*, covenant appeared as a description of both the nature of God and as the mode of his revelation to humanity. However, in the 1539 *Brevissima formula*, Jud subsumes the covenant under the general heading of our knowledge of God, implying that it pertains to God's revelation to humans, rather than to his nature. Although Jud's exposition lacks the systematic clarity required by future generations,³³ this subtle adaptation of the preceding Zürich tradition allows us to conclude that his work deserves mention as an early and original contribution to the development of Reformed federal theology.

3 The Latin Catechisms by Bullinger and Ursinus

3.1 Bullinger's *Catechesis pro adultioribus* (1559)

Like Jud's Latin catechism, Bullinger's 1559 *Catechesis pro adultioribus* was written for the benefit of the more advanced students of the Zürich school. In this work, Bullinger returns to the theme of the covenant of God. This is remarkable, because after the publication of *De testamento* (1534), the covenant did not figure prominently in the reformer's later expositions of Christian

30 Calvin, *Catechism*, transl. Battles, 8–9.

31 Jud, *Brevissima formula*, fol. a4v–5r.

32 For a similar observation, see Hild, *Übersetzungen*, 351–55.

33 See Lang, *Heidelberger Katechismus*, xxxiv.

TABLE 1 Outline of Jud's *Kürtzer Catechismus* and Bullinger's *Catechesis*

Jud, <i>Kürtzer Catechismus</i>	Bullinger, <i>Catechesis</i>
Von Gott, und von dem pundt Gottes mit uns.	De principiis religionis christianae, scriptura sancta. De Deo vero, vivo et aeterno. De foedere dei, quod pepigit deus cum hominibus, et de vero dei cultu.
Von den zwo taflen der zaehen gebotten.	De lege dei et decalogo mandatorum domini.
Von dem glouben.	De fide christiana et symbolo apostolico.
Vom Gebaett der kinderen Gottes.	De invocatione Dei et oratione dominica.
Von den heyligen Sacramenten.	De sacramentis ecclesiae Christi.

doctrine, such as the *Decades* (1552).³⁴ The recurrence of the theme can be understood, in the first place, as an attempt to underline theological and didactic continuity with Jud's *Kürtzer Catechismus*. In the second place, it will be argued presently that it also attests to Bullinger's developing understanding of the covenant. The focus of the present discussion of the *Catechesis* will again be on the structuring function of this concept.

Bullinger's catechism follows the same basic outline as the preceding catechetical works by Jud. However, as a comparison of the outlines of the *Catechesis* and the *Kürtzer Catechismus* shows, Bullinger distributes the material of Jud's introduction on the covenant over three separate chapters, dealing, respectively, with Scripture and the foundations of Christian religion, with God, and with the covenant and true worship of God (see table 1). These again clear the way for the discussion of the Decalogue as the first main part of catechetical instruction.

In the first chapter of the *Catechesis*, Bullinger employs the notion of covenant to define the unity of Scripture. Although the reformer knows there is a considerable difference between the Old and New Testaments, he affirms the unity of God's testament and of Scripture. "The books of the New Testament have been added, so that, in a sense, Christian doctrine presents itself even

34 E.g. Edward Dowey, "Heinrich Bullinger as Theologian: Thematic, Comprehensive, and Schematic," in *Architect of Reformation: An Introduction to Heinrich Bullinger, 1504–1575*, ed. Bruce Gordon and Emidio Campi, TSRPT (Grand Rapids: Baker, 2004); Peter Opitz, *Heinrich Bullinger als Theologe: Eine Studie zu den "Dekaden"* (Zurich: TVZ, 2004), 336–52.

more fully. In general, the books of both testaments are mutually coherent and explain and illustrate each other.”³⁵ This hermeneutical dimension of the concept of covenant figured prominently in *De testamento*,³⁶ but did not receive much attention in Jud’s German catechisms. Therefore, its occurrence in the opening chapter can be regarded as a deliberate supplementation of the *Kürtzer Catechismus*.

Subsequently, the second chapter of the *Catechesis* describes the nature of God as the highest, eternal and immeasurable good. From Bullinger’s (and Jud’s) earlier works, we would expect to find here a connection with God’s covenant revelation as El Shaddai. However, this connection is not present in the 1559 catechism. This suggests that Bullinger actually followed the adaptation made by Jud in the *Brevissima formula*. There, Jud subsumed covenant under the general heading of the knowledge of God as the first mode of divine revelation. This implied a tacit departure from *De testamento* and the German catechisms, where covenant appeared in relation to both God’s nature, and to his revelation. The outline of the *Catechesis* suggests that Bullinger also moved beyond his own previous position.

The third chapter opens with the question: “In which way does God primarily declare his benevolence towards humans?” Looking from the vantage point of the preceding Zürich tradition, one would again expect a reference here to God’s covenant with Abraham. However, Bullinger’s answer departs from the term promise (*promissio*) and his first biblical example is the *protoevangelium* to Adam in Genesis 3: 15. Bullinger explains that this was a spiritual promise by which God assures all believers from Adam onward of his heavenly blessings.³⁷ Only after the discussion of God’s *promissio* do the questions of the catechism return to the notion of covenant. This concept is defined as an image (*similitudo*) of the “salutary matter of benevolence and friendship” with God.³⁸ As early as *De testamento* Bullinger argued that God’s covenant with Abraham was an accommodation of God “on account of the weakness of our nature.” In other words, the fact that God makes a covenant or institutes a testament was considered a gracious adaptation to our limited human understanding.³⁹ His use of the term *similitudo* in the *Catechesis* signals that the importance

35 Heinrich Bullinger, *Catechesis pro adultioribus scripta de his potissimum capitibus [...]*, (Zürich: Christoph Froschauer sr., 1559), fol. 2r–3v. doi: 10.3931/e-rara-1592.

36 Bullinger, *De testamento*, transl. McCoy and Baker, 112. See Oritz, *Bullinger als Theologe*, 331–35.

37 Bullinger, *Catechesis*, fol. 6r–v.

38 Bullinger, *Catechesis*, fol. 6v.

39 Bullinger, *De testamento*, transl. McCoy and Baker, 103–8.

of covenant is even more restricted.⁴⁰ This observation is enhanced by the fact that in the *Catechesis* the term covenant is consistently coordinated with that of the true and legitimate worship (*cultus*) of God. This not only appears from the title of chapter 3, but also throughout the reformer's discussion of the covenant. For instance, in the sixth question he argues that we should receive God, "our covenant partner" with faith and uprightness. This means "to serve this God with a legitimate worship."⁴¹ This term, *cultus*, rather than covenant, appears as the structuring element in the rest of the 1559 catechism. For example, chapter 4 opens with the question whether there is another way of explaining the matter of faith than with the image (*figura*) of the covenant. The answer affirms that the law is the most elegant illustration of "true religion and the true worship of God."⁴²

Bullinger's more restricted use of the concept of covenant in the 1559 *Catechesis* can be explained, at least in part, as a matter of exegetical accuracy. In his earlier works, *De testamento* and *Der alt gloub*, Bullinger's historical approach to the covenant suggested that God's covenant dealings with his people already started with the *protoevangelium* of Genesis 3: 15.⁴³ In the *Decades* he concluded, therefore, that the covenant with Abraham was a renewal of the first covenant with Adam. There is also only one covenant which is essentially God's gracious response to human sinfulness.⁴⁴ However, Scripture does not use covenant-terminology in relation to God's promise to Adam. It is conceivable that Bullinger, as a conscientious exegete, therefore moved away from his earlier position and subsumed the concept of covenant under the overarching theme of God's gracious promise to sinners and of the true worship of the believers.

It can be concluded that Bullinger, in his *Catechesis*, both adopted and restricted the structuring function of the covenant, which he found in Jud's

40 In the *Decades* this term is used to describe the relation between the sacramental signs, and the covenant as their substance. In the *Catechesis*, the covenant is the sign, with God's promise as its substance. See e.g. HBW 3.3.1, 350–51, 408–9, 415; HBW 3.3.2, 877–79, 910.

41 Bullinger, *Catechesis*, fol. 7v.

42 For the coordination of covenant with *religio* and *colere*, see Opitz, *Theologe*, 341–43. For the increasing importance of cultic imagery, see Pamela Biel, *Doorkeepers at the House of Righteousness: Heinrich Bullinger and the Zurich Clergy 1535–1575*, ZBRG 15 (Bern: Lang, 1991), 119–29.

43 Bullinger, *Catechesis*, fol. 6v–7r. See Christian Moser, *Die Dignität des Ereignisses: Studien zu Heinrich Bullingers Reformationsgeschichtsschreibung*, 2 vols, SHCT 163 (Leiden: Brill, 2012), 19–36.

44 HBW 3.3.1, 345. For a very stimulating exploration of the relation of Bullinger to the concept of a prelapsarian covenant of works, see the contribution by Pierrick Hildebrand in the present volume.

earlier catechisms. It appears that he further elaborates Jud's attempt to bring systematic clarification to the various dimensions of the covenant. In the *Kürtzer Catechismus*, covenant was related to both God's nature as the almighty fountain of all good, and to his gracious self-revelation, and to the relation between law and gospel. In the *Brevissima formula* Jud already made a first step towards a more systematic approach, by subsuming the covenant under the heading of the knowledge of God. In the *Catechesis* Bullinger further unravels the multiple dimensions of the covenant by dividing Jud's material over three chapters. Covenant now appears in relation to Scripture (the hermeneutical dimension), and soteriology (covenant as an image of God's gracious promise). In doing so, Bullinger adds systematic clarification to the meaning of the covenant, but also restricts its structural function within the catechism as a whole.

3.2 *The Catechesis major by Ursinus (ca. 1562)*

Both chronologically and theologically there would be ample reason to move from Bullinger's 1559 *Catechesis* to the famous *Heidelberg Catechism* of 1563. In fact, it has been rightfully argued that the latter document is part of the broad stream of early Reformed federal theology. At the same time it is true that covenantal terminology does not appear often in the *Heidelberg Catechism*.⁴⁵ Therefore, it is presently more fruitful to look at another catechetical work from Heidelberg: the so-called *Catechesis major* by Zacharias Ursinus (written around 1562, published posthumously).⁴⁶ The author was strongly influenced by Zurich theology and even stayed in the city shortly after the publication of Bullinger's *Catechesis*.⁴⁷ Although his work bears many formal characteristics

45 See Coenen, "Gottes Bund und Erwählung," in *Handbuch zum Heidelberger Katechismus* (Neukirchen: Neukirchener Verlag, 1963), 128–32. The catechism only uses covenant terminology in relation to the sacraments (German: "Bundt," in q/a 74; Latin: "foedus" in q/a 68, 74, 77, 79, 82).

46 *Catechesis, hoc est, rudimenta religionis christianae*. Edition in Lang, *Heidelberger Katechismus*, 151–99. Quotations follow the English translation in Lyle D. Bierma, ed., *An Introduction to the Heidelberg Catechism: Sources, History, and Theology with a Translation of the Smaller and Larger Catechisms of Zacharias Ursinus*, TSPRT (Grand Rapids: Baker, 2005), 163–223. For historical and bibliographical background, see David A. Weir, *The Origins of the Federal Theology in Sixteenth-Century Reformation Thought*, (Oxford: Clarendon, 1990), 102–4; Boris Wagner-Peterson, *Doctrina schola vitae: Zacharias Ursinus (1534–1583) als Schriftausleger*, Refo500 Academic Studies 13 (Göttingen: Vandenhoeck & Ruprecht, 2013), 356–57.

47 He visited Zurich in 1557 and 1560. Previously he had studied in Wittenberg with one of Bullinger's sons. See Bierma, *Introduction*, 68–70; Peter Opitz, "Historische Zugänge zum Heidelberger Katechismus aus Schweizer Sicht," in *Der Heidelberger Katechismus: Ein*

of the catechetical genre, it is in fact a specialized theological treatise for a learned and Latinized audience.

Coming from the preceding discussion of Jud's catechisms, the most striking feature of the *Catechesis major* is that the concept of covenant is now fully developed as the key structuring principle of catechetical instruction. In the first section of the work Ursinus raises the question: "What firm comfort do you have in life and in death?" The answer confesses the believer's acceptance into God's covenant of grace, because of the work of Jesus Christ, which is sealed inwardly by the Holy Spirit.⁴⁸ This covenantal onset is unfolded in detail throughout the rest of the catechism. In all the main parts of his work, Ursinus returns to the covenant of grace. For instance, the discussion of the law opens with the affirmation that "Christians, who have already been received into God's covenant, also need the teaching of the Decalogue."⁴⁹ Similarly, prayer is introduced as "among the most important parts of the worship of God that the covenant of grace requires of us."⁵⁰

Notwithstanding the close proximity of Ursinus to the Zurich tradition, his catechism also shows a new dimension of covenant theology. In question-answer 36 he introduces a distinction between law and gospel in terms of a *foedus naturale* in creation, and a postlapsarian *foedus gratiae*.⁵¹ The discussion of the Zurich catechisms showed how Jud already tried to incorporate the dynamic of law and gospel, as it was being discussed in Lutheran circles, in his covenant scheme. In the following generation, theologians like Wolfgang Musculus resumed this enterprise by incorporating the notion of the natural law given to humanity in creation within the existing covenant framework.⁵² This theological *tour de force* would ultimately result in a bifurcation of the concept of covenant. However, it seems that Ursinus still adhered to the doctrine of a single covenant.⁵³ Apart from the passage in question-answer 36, there is no trace of systematic reflection on a pre-fall covenant, or on the relationship between the general knowledge of God's will and the revelation of God's commandments in the historical covenant of Sinai. Still, unwittingly

reformierter Schlüsseltext, ed. Martin Ernst Hirzel, Frank Mathwig, and Matthias Zeindler (Zurich: TVZ, 2013), 26–9.

48 Ursinus, *Catechesis major*, q/a 1, transl. Bierma, 163.

49 Ursinus, *Catechesis major*, q/a 148, transl. Bierma, 190.

50 Ursinus, *Catechesis major*, q/a 224, transl. Bierma, 204–5.

51 Ursinus, *Catechesis major*, q/a 36, transl. Bierma, 168–69.

52 See Goeters, "Föderaltheologie," 247–48.

53 See Ursinus, *Catechesis major*, q/a 10, transl. Bierma, 164. Full discussion in Derk Visser, "The Covenant in Zacharias Ursinus," *The Sixteenth Century Journal* 18.4 (1987): 531–44. See also Bierma, *Introduction*, 97–98; Weir, *Origins*, 103.

perhaps, the Heidelberg theologian broached the creative potential of the concept of the covenant for the development of an encompassing theological system. In this sense, his catechism does point forward to the future development of Reformed federal theology.

4 Scottish and English Catechisms

In the following subsections an attempt is made to highlight, in a rather impressionistic fashion, the next stage in the development of Reformed federal theology. This will be done by looking at three catechisms from the kingdoms of Scotland and England. The first work to be considered is the so-called “Catechism on God’s Covenants” by Robert Rollock from 1596. The discussion of this work leads to a consideration of the catechisms of the Westminster Assembly of 1647 which represent a mature version of Reformed covenant theology.⁵⁴

4.1 *The Questiones et responsiones by Rollock*

The 1596 *Questiones et responsiones aliquot de foedere Dei* of the Scottish divine Robert Rollock is formatted in the question-and-answer-format of the catechetical genre and is also known as the “Catechism on God’s covenants.”⁵⁵ In the text, the covenant as structuring principle for teaching doctrine is fully developed. Foundational to Rollock’s work is the consistent juxtaposition of the covenants of nature or works on the one hand, and that of grace on the other. The notion of a covenant of works, made with Adam before the fall, was introduced by theologians like Dudley Fenner and William Perkins who wished to draw a closer connection between covenant theology and the doctrine of justification.⁵⁶ In turn, Rollock developed this concept into a system in which the nature of the covenant of grace is defined by its “sheer distinction and difference” from the covenant of works.⁵⁷

54 Goeters, “Föederaltheologie,” 249.

55 See Woolsey, *Unity and continuity*, 512–39; Aaron C. Denlinger, trans., “Robert Rollock’s Catechisms on God’s Covenants,” *Mid-America Journal of Theology* 20 (2009): 105–29 (quotations from Rollock’s work follow the translation provided by Denlinger).

56 See Weir, *Origins*, 137–44; and C. Graafland, *Van Calvijn tot Comrie: Oorsprong en ontwikkeling van de leer van het verbond in het gereformeerd protestantisme* [From Calvin to Comrie: Origin and development of the doctrine of the covenant in Reformed Protestantism], vol. 2, Zoetermeer: Boekencentrum, 1994, 155–56.

57 See Denlinger, “Rollock’s Catechisms,” 105–6.

According to Rollock, the covenant of works is “the covenant of God in which he promises man eternal life under the condition of good works – works proceeding from the virtues of [man’s] nature – and man, moreover, accepts the condition of good works.”⁵⁸ It was established at the very moment of the creation of humanity and repeated after the fall “to the end that men, convicted in their consciences and overwhelmed by that impossible condition of good works proceeding from nature, might flee to the covenant of grace.” In doing so, it prepared the elect members of Israel for the grace of God, and, adversely, brought the reprobate to desperation.⁵⁹ By contrast, the covenant of grace “is that by which God promises man righteousness and eternal life under condition of faith in Christ the mediator; and man accepts that condition, and commits himself to believe.”⁶⁰ This covenant “was established immediately after the fall of man” and its substance “is the same as that covenant of grace which was established at the advent of Christ with his church.”⁶¹ The new covenant offers liberation and redemption “by God’s prevenient grace and mercy” through the Son of God, who is the mediator of the covenant and he “became subject to the covenant of works and the law for our sake.”⁶²

By means of a consistent parallelization of the two covenants, Rollock integrated the doctrine of justification, with its juxtaposition of law and gospel, works and faith into his concept of a double covenant. However, this also raised the question of the relation between this theological concept and the covenants in biblical history. For instance, how would the covenant at Sinai, with its corresponding moral law, fit into the twofold covenant scheme? In the Zurich tradition the Decalogue was naturally seen as part of the covenant of grace, consisting of promise and commandment. By contrast, theologians like Rollock primarily understood the Sinai covenant (which historically appeared after the fall) in terms of the pre-fall covenant of works. It mainly functions as a spiritual category to bring the unregenerate to acknowledgement of sin and repentance. Yet, for Rollock the law has “some use still to believers, as a means to conversion, faith, regeneration, and the mortification of the flesh.” Also, he allows for a limited role of the moral law for shaping the works of gratitude for those who live in the covenant of grace.⁶³

58 Rollock, *Questiones*, q/a 3, transl. Denlinger, 110.

59 Rollock, *Questiones*, q/a 21–23, transl. Denlinger, 114, also q/a 15, transl. 112.

60 Rollock, *Questiones*, q/a 55, transl. Denlinger, 119.

61 Rollock, *Questiones*, q/a 79–82, transl. Denlinger, 124.

62 Rollock, *Questiones*, q/a 33–34, 37, transl. Denlinger, 116.

63 Rollock, *Questiones*, q/a 97–101, transl. Denlinger, 128. See also Woolsey, *Unity and continuity*, 522–24.

In sum, compared to the Zurich tradition Rollock's catechism added considerable systematic strength to federal theology by integrating the doctrine of justification into a twofold covenant scheme. Moreover, he drew a close connection between the concept of covenant and the doctrine of predestination. This also indicates a substantial move from the early Zurich tradition, which could refer in a rather uncomplicated way to God's "one and eternal covenant." Still, it seems that Rollock achieves his symmetrical system of two covenants at the price of complicating the biblical historical data, and of the positive role of the Decalogue for shaping Christian morality.

4.2 *The Catechisms of the Westminster Assembly*

The catechisms of the Westminster Assembly (1647) arguably illustrate a mature version of Reformed federal theology, both because of the teachings they contain, and of the controversies about which they remain silent.⁶⁴ Strictly speaking, these catechisms are beyond the scope of the present investigation, because they are not structured around the concept of covenant. Yet, because of their close affinity with the Zurich catechisms, they do give an illuminating illustration of the development of Reformed federal theology.

The famous opening section of the *Shorter Catechism* confesses that the "chief end" of human existence is "to glorify God, and to enjoy him forever." Subsequently, Scripture is identified as the rule for such a life. This instructs us concerning "what man is to believe concerning God, and what duty God requires of man."⁶⁵ These motifs closely resemble the line of thought in Jud's 1535 catechism. Yet, unlike its Zurich predecessor, the *Shorter Catechism* does not proceed with a discussion of the covenant but with a description of the nature of God and of his decrees, which is "his eternal purpose, according to the counsel of his will, whereby, for his own glory, he hath foreordained whatsoever comes to pass." Only after a discussion of the works of creation and providence, through which God executes his decrees, does the catechism introduce the notion of the covenant. In the pre-fall state of man God showed Adam a special act of providence, that is, "he entered into a covenant of life with him, upon condition of perfect obedience; forbidding him to eat of the tree of the knowledge of good and evil, upon the pain of death." This covenant was made with Adam and his posterity, but they all "sinned in him, and fell in

64 John V. Fesko, *The Theology of the Westminster Standards: Historical Context and Theological Insight* (Wheaton: Crossway, 2014), 125–67.

65 WSC, q/a 1–3, in Philip Schaff, ed., *The Creeds of Christendom: With a History and Critical Notes*, vol. 3, *The Evangelical Protestant Creeds, with Translations*, 4th ed. (Grand Rapids: Baker, 1919), 676.

him, and fell with him, in his first transgression.” However, “God, having out of his mere good pleasure, from all eternity, elected some to everlasting life, did enter into a covenant of grace to deliver them out of the estate of sin and misery, and to bring them into an estate of salvation by a Redeemer.”⁶⁶ The *Larger Catechism* explains that this “Covenant of Grace was made with Christ, as the second Adam, and, in him, with all the elect, as his seed.”⁶⁷ In other words, the two covenants of life and grace are unfolded within a framework of predestinarian theology.

It appeared that in the early Zurich catechisms the concept of covenant was introduced to explain the position and the function of the Decalogue in an exposition of Christian doctrine. As part of the Sinai covenant, the commandments of the law express God’s gracious promise, and his holy will for his people. By contrast, for Rollock the Decalogue was first and foremost an expression of the covenant of works, as a means of leading the unregenerate to repentance and believers to mortification. The Westminster divines held different opinions on this matter and treated it with restraint.⁶⁸ The *Shorter Catechism* states that “the duty which God requireth of man, is obedience to his revealed will.” This revealed will is found in the moral law of the Decalogue.⁶⁹ Since no man is able to keep this law, God requires believers to have faith in Jesus Christ and repentance unto life instead. The *Larger Catechism* explains that the moral law still has a function in the life of those who share in the covenant of grace, as it provokes them “to more thankfullnesse and to expresse the same in their greater care to conform themselves thereunto as the rule of their obedience.”⁷⁰ Echoing Jud’s struggle to integrate the various functions of the law in his scheme of a single covenant, the authors of the Westminster catechisms do not reach a clear-cut definition of the relation of the Decalogue to both the covenant of works and of grace.

5 Conclusion

The early modern theologians did not employ our distinction between biblical and exegetical theology on the one hand, and systematic theology on the other.

66 WSC, q/a 20, in Schaff, *Creeds*, 677–80.

67 WLC, q/a 31, in John R. Bower, ed., *The Larger Catechism: A Critical Text and Introduction*, Principal Documents of the Westminster Assembly (Grand Rapids: Reformation Heritage, 2010), 71.

68 See Fesko, *Westminster Standards*, 144–48.

69 WSC, q/a 39–40, in Schaff, *Creeds*, 684.

70 WLC, q/a 97, ed. Bower, 84–85.

Their treatment of the concept of covenant, as exemplified by the preceding discussion of Reformed catechisms from the sixteenth and seventeenth centuries, shows that both approaches often went hand in hand.

On the one hand, there is the development of a Reformed federal theology rooted in a genuine search for a correct exegetical and hermeneutical understanding of the biblical notion of covenant. In their catechisms Jud and Bullinger arrived at a definition of covenant which closely resembles the current biblical-theological understanding of ברית as the “promissory relationship that YHWH would be Israel’s God and Israel would be YHWH’s people.”⁷¹ However, along with a great part of the Christian tradition, they applied this definition to the church as the New Testament people of God. Several contributions in this volume elucidate the complexity of the underlying question of the relation between Israel and the church.

On the other hand, from the outset the development of Reformed federal theology interacted with the demands and challenges from the broader field of church and theology. For instance, whereas the Zurich theologians Bullinger and Jud first defined covenant in terms of God’s nature, in their Latin catechisms they rather understood it as the way by which God graciously reveals himself to fallen humanity. This subtle change indicates that theological reflection on the covenant did not start with the dogmaticians of the post-Reformation era, but already existed within the sixteenth-century Zurich tradition. Moreover, already in its earliest phase, theologians of the Reformed tradition explored the creative potential of the biblical concept of covenant to find answers to questions varying from the nature of God and justification by faith to the role of the law for Christian morality.

This observation also applies to the use of covenant as structuring principle in works of catechesis. Following the pioneering example of Zwingli and Bullinger, Jud creatively attempted to organize the traditional topics of catechetical instruction around the central theme of the covenant. This resulted in a didactically clear and attractive outline, but at the same time prompted new theological questions and challenges. For example, Jud struggled to find the right place for the law within his catechisms. He followed the outline of Luther’s catechisms, by starting with the Decalogue and defining them in terms of God’s covenant promise and the believers’ covenant obligation to live in grateful obedience to God. However, this clear-cut definition did not leave room for an understanding of the law as a means for the mortification of sinners (as it was being proposed by Melancthon and others). Jud tried to solve this in his *Kürtzer Catechismus* by returning to the theological function of the

71 See the contribution by Van Bakkum in the present volume.

law after his discussion of the Ten Commandments. In doing so he complicated the otherwise clear structure of his work. Nevertheless, the preceding analysis of Jud's catechisms suggests that he made an original contribution to the development of Reformed federal theology, which deserves further scholarly attention.

At a later stage of development, when Reformed federal theology adopted a twofold covenant scheme, the place and meaning of the Decalogue continued to bend the minds of the theologians. Not unlike Jud's struggle to integrate the various functions of the law in his scheme of a single covenant, the catechisms of Rollock and the Westminster Synod witness to the fact that the biblical data did not always yield to the demands of systematic theologians. For, how should the commandments of the Sinai covenant be defined in relation to the theological constructs of the covenant of works and/or the covenant of grace?

Perhaps it is illustrative of the increasing complexity of covenant theology that after Jud's German catechisms of the 1530s, the notion of covenant appeared as a structuring principle only in Latin catechisms, intended for a learned audience. In vernacular catechisms, such as those of Heidelberg or Westminster, it did not regain the same prominent position it had in their Zurich counterparts. Moreover, by the end of the sixteenth century Jud's *Kürtzer Catechismus* was replaced by a new catechism in which the covenant did not figure prominently.⁷² Future research may shed light on the question whether this development is mirrored in catechetical sermons of the sixteenth and seventeenth centuries, and whether the notion of covenant in any way shaped the hopes and beliefs of ordinary women and men of this age. Meanwhile, it is to be hoped that our present interaction with the covenant may stimulate the teaching of the church on this rich and multifaceted biblical concept.

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72 See Burkhard Leemann. *Kürtzer und einfalter Bericht in christenlicher Religion und Gloubens Sachen für die Kinder der tütschen Schuol der Statt Zürych* (Zurich: Wolff, 1594). doi:10.3931/e-rara-61926.

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Heinrich Bullinger (1504–1575) and the Covenant of Works

Pierrick Hildebrand

There is a general consensus in historical theology that Heinrich Bullinger (1504–1575) was the first Reformed theologian who extensively developed the biblical covenant concept so important to his predecessor Huldrych Zwingli (1484–1531).¹ For Bullinger, the whole biblical narrative comprehends the Old and New Testaments as the unfolding of *one single and eternal covenant*.² This covenant, first introduced in Genesis 3: 15 – the so-called protoevangelion in God's cursing the serpent – and culminating in Christ's redemption, is unequivocally postlapsarian and redemptive. It is, in other words, a *covenant of grace*. Given this argument, one might legitimately ask how Bullinger understands the prelapsarian *conditio humana* or state of man before God? This essay will consider Bullinger's view on the relationship between God and man in its original state in light of the emergence of the *covenant of works* in the Reformed tradition.³ I argue that Bullinger's covenant theology was not fundamentally in opposition to the covenant of works, and that there are

- 1 I have argued elsewhere that Zwingli already alluded to covenantal continuity across the testaments, which is from the beginning traced back as far as to Adam in *Subsidium sive coronis de eucharistia* (17 August 1525). Pierrick Hildebrand, "Zwingli's Covenantal Turn," in *From Zwingli to Amyraut: Exploring the Growth of European Reformed Traditions*, ed. Jon Balserak and Jim West, RHT 43 (Göttingen: Vandenhoeck & Ruprecht, 2017), 23–35.
- 2 Cf. Heinrich Bullinger, *De testamento seu foedere dei unico et aeterno Henrichi Bullingeri brevis expositio* (Zurich: Froschauer, 1534). There exist two English translations; see Heinrich Bullinger, "A Brief Exposition of the One and Eternal Testament or Covenant of God," in *Fountainhead of Federalism: Heinrich Bullinger and the Covenantal Tradition*, by Charles S. McCoy and J. Wayne Baker (Louisville: Westminster John Knox, 1991), 99–138; Henry Bullinger, "Of the One and Eternal Testament or Covenant of God: A Brief Exposition," in *Thy Word Is Still Truth: Essential Writings on the Doctrine of Scripture from the Reformation to Today*, ed. Peter A. Lillback and Richard B. Gaffin Jr. (Phillipsburg: P&R, 2013), 245–70.
- 3 Cf. Richard A. Muller: "The concept of a covenant of works or, as it was also called by Reformed writers of the sixteenth and seventeenth centuries, the covenant of nature or covenant of creation, most probably entered Reformed theology in the mid-sixteenth century in works such as Musculus' *Loci communes*, Hyperius' *Methodus theologiae*, and Ursinus' *Summa theologiae* or, as it is often called, *Catechesis maior*." "The Covenant of Works and the Stability of Divine Law in Seventeenth-Century Reformed Orthodoxy: A Study in the Theology of Herman Witsius and Wilhelmus à Brakel," *Calvin Theological Journal* 29 (1994): 87.

surprising similarities between the two.⁴ To date, there has been no scholarly work on this specific issue.⁵ The reason is not difficult to grasp. Bullinger never wrote extensively on the original state of man. His pastoral focus was on the restoration of fallen man in Christ.⁶ My approach, therefore, will be to address this issue through an analysis of Bullinger's exegesis of the book of Genesis, in particular of the first three chapters. My study falls within the scope of two trends in historical theological research: the first stresses the foundational continuity between the Reformation and Reformed Orthodoxy,⁷ and the second recognizes the role played by exegesis in the formation of doctrine,⁸ such as with the work of BEST.

Before undertaking my analysis it should be noted that the covenant of works has generated controversial master narratives of the Reformed

4 There has been a similar endeavour in respect to the Reformer John Calvin. See Peter A. Lillback, *The Binding of God: Calvin's Role in the Development of Covenant Theology* (Grand Rapids: Paternoster, 2001), 276–304.

5 Even Mark W. Karlberg, who sees some continuity between Bullinger and the later federal perspective, fixes his focus on Bullinger's interpretation of the Mosaic covenant. See *Covenant Theology in Reformed Perspective: Collected Essays and Book Reviews in Historical, Biblical, and Systematic Theology* (Eugene: Wipf and Stock, 2000), 21–22.

6 Heinrich Bullinger mentions most extensively the original state of man in his historical outlines. Cf. *Der alt Gloub: Das der Christen gloub von anfang der waelt gewaert habe, der recht waar alt vnnd vngezwyllet gloub sye, klare bewysung Heinrichen Bullingers* (Zurich: Froschauer, 1539), A4r–A7r; *Epitome temporum et rerum ab orbe condito ad excidium usque ultimum urbis Hierosolymorum sub Imperatore Vespasiano* (Zurich: Froschauer, 1565), 1–4. In the *Decades*, however, there are only few references (mostly in decade 1: sermon 1 and decade 4: sermon 4). See “Sermonum Decades quinque de potissimis Christianae religionis capitibus,” *HBW* 3:3.1 (2008), 32–33.; “Sermonum Decades quinque de potissimis Christianae religionis capitibus,” *HBW* 3:3.2 (2008), 591. In those works, Bullinger stresses on the one hand man's original goodness as originating from God's own goodness and, on the other hand, man's original sin as resulting from man's free will. In the correspondence regarding John Calvin's (1509–1564) controversial doctrine of predestination, Bullinger refers similarly to the original state of man. In this way he seeks to discharge God of being the author of the fall or sin. See, e.g., his letter to Bartholomew Traheron (c. 1510–1558) of 1553: “Bullingerus Traheroni,” CO 14 no. 1707, col. 480–90, esp. col. 485.

7 This trend is associated with the so-called *Muller thesis*. It goes back to Richard A. Muller, who has convincingly argued for substantial continuity between the early Reformed tradition (exemplified by Calvin) and the rise of Reformed orthodoxy, which had been set in opposition by earlier scholarship. See, e.g., Richard A. Muller, *Calvin and the Reformed Tradition: On the work of Christ and the Order of Salvation* (Grand Rapids: Baker Academic, 2012). There is an analogous endeavor in understanding the continuity between Reformation and the Middle Ages. My argument, however, does not rest on the medieval background of Bullinger's covenant theology.

8 See Brian J. Lee, *Johannes Cocceius and the Exegetical Roots of Federal Theology: Reformation Developments in the Interpretation of Hebrews 7–10* (Göttingen: Vandenhoeck & Ruprecht, 2009).

tradition. Some Reformed theologians⁹ of the twentieth century have considered this covenant as a development foreign to the Reformers' emphasis on grace, almost the *Sündenfall* of the Reformed tradition. Karl Barth (1886–1968) claimed that Bullinger regarded the covenant “quite unequivocally as a covenant of grace.”¹⁰ Barth considered the emergence of the covenant of works as an *Einbruch* (intrusion).¹¹ In his own dogmatics, no place was given for a prelapsarian covenant differing in any way from the postlapsarian. The systematic theologian John Murray (1898–1975) also criticized this development of the covenant of works in the Reformed tradition.¹² Murray did not fundamentally challenge the fact that some distinctions exist in the way God relates to man before and after the fall, but he considered the semantics associated with the term *covenant of works* as the opposite of the *covenant of grace* as inappropriate or misleading.¹³ Murray preferred to speak of an *Adamic administration*.¹⁴ As Bullinger has been referenced by Murray, Barth, and others as a forerunner of their own theological agendas, my intention is to investigate the legitimacy of their claims.¹⁵

1 Bullinger's Sermon Notes on Genesis

Contrary to his predecessor, Huldrych Zwingli, Bullinger neither lectured nor published any sermons on the book of Genesis. In this respect, we should note

9 For a more extensive discussion of their criticisms, see: Cornelis P. Venema, “Recent Criticisms of the Covenant of Works in the Westminster Confession of Faith,” *Mid-America Journal of Theology* 9.3 (1993): 165–98.

10 “Zwingli und besonders Bullinger haben ihn [den Bund] *eindeutig als Gnadenbund* verstanden.” Karl Barth, *Die Kirchliche Dogmatik* (Zollikon-Zürich: EVZ, 1953), 4.1:61 (my italics). Cf. “We have seen that Zwingli and Bullinger regarded it [the covenant] quite unequivocally as a covenant of grace.” Karl Barth, *The Church Dogmatics* (Edinburgh: T&T Clark, 1956), 4.1:58.

11 Cf. “Der *Einbruch* von dieser Seite ...” Barth, *Kirchliche Dogmatik*, 4.1:62 (my italics).

12 Cf. John Murray: “Towards the end of the 16th century the administration dispensed to Adam in Eden, focused in the prohibition to eat of the tree of the knowledge of good and evil, had come to be interpreted as a covenant, frequently called the Covenant of Works, sometimes a covenant of life, or the Legal Covenant. It is, however, significant that the early covenant theologians did not construe this Adamic administration as a covenant, far less as a covenant of works.” “Covenant Theology,” in *Collected Writings of John Murray* (Edinburgh: Banner of Truth, 1982), 4:217–18.

13 Whether it is an appropriate terminology or not will not be reflected in this essay.

14 Cf. John Murray, “The Adamic Administration,” in *Collected Writings of John Murray* (Edinburgh: Banner of Truth, 1977), 2:47–59.

15 In this volume, Hans Burger has formulated his own reservations about the covenant of works.

that Zwingli in his *Farrago annotationum in Genesim*, published in 1527, explicitly alluded to a prelapsarian covenant. In the ninth chapter, Zwingli speaks of the renewal with Noah of the Adamic covenant preceding the fall. This Adamic covenant refers to the so-called *dominium terrae* (cf. Genesis 1: 28), which, according to Zwingli, was given anew to Noah and his posterity.¹⁶ Zwingli's interpretation has been completely ignored by scholars.¹⁷ Bullinger, however, did preach on the book of Genesis. Two series of notes from Bullinger's hand in Latin on the whole book of Genesis are to be found in the *Zentralbibliothek* in Zurich. These notes are almost complete, but some folios have been lost.¹⁸ It is not quite clear why there are two series, as Bullinger only preached once *lectio continua* on the book of Genesis.¹⁹ One *Diarium*²⁰ entry tells us that he began to do so in 1536, a source corroborated by one of the series dated from the 23rd of April 1536 to the 4th of November 1537. Unfortunately, the other series is undated. Archivists have referred to the former (Ms Car III 203) as *Homilien* or homilies, and to the latter (Ms Car III 195a) as *Predigtskizzen* or sermon drafts. Both series are far from containing complete sermons. It is not possible to know whether one series served as a template for the other. I shall consider these exegetical notes quite independent from one another. They probably served Bullinger as preliminary work for his ministry from the pulpit. For my study, I will proceed topically from the first three chapters of Genesis, but not always following the chronology of either the biblical narrative or of the notes themselves. I shall look more closely at three interrelated topics that are critical to

16 "Renovat foedus cum Adamo ictum. Nam ille dominus omnium animantium fuit." Huldreich Zwingli, "Farrago annotationum in Genesim: ex ore Hulryci Zuinglii per Leonem Iudae et Casparem Megandrum exceptarum," in *Huldreich Zwinglis sämtliche Werke*, ed. Emil Egli et al., vol. 13, CR 100 (Zürich: Berichthaus, 1963), 57 (my italics).

17 Even if Zwingli, strictly speaking, does not explicitly refer to the prelapsarian covenant until chapter 9, Weir's argument that "none of the sixteenth century commentaries on Genesis 1–3 mention the prelapsarian covenant until after 1590" can scarcely be sustained any more. See David A. Weir, *The Origins of the Federal Theology in Sixteenth-Century Reformation Thought* (Oxford: Clarendon, 1992), 158.

18 Bullinger has left us two different autographs on the book of Genesis. First, Ms. Car. III 203 (Zurich: Zentralbibliothek), dated 23 April 1536–4 November 1537 and encompassing chapters 1–49 and of which there is also a transcript ms. B 26 (Bern: Burgerbibliothek) from Wolfgang Haller (1525–1601) dated 1545. Second, Ms. Car. III 195a (Zurich: Zentralbibliothek), undated and encompassing chapters 1–4 and 14–48. Regarding quotations in this essay, we follow the original foliation of Ms. Car III 203. As some folios from Ms. Car III 195a within the three first chapters are missing, we have (re-)paginated the manuscript.

19 Cf. Fritz Büsser, *Wurzeln der Reformation in Zürich* (Leiden: Brill, 1985), 146–48.

20 Cf. Emil Egli, ed., *Heinrich Bullingers Diarium (Annales vitae) der Jahre 1504–1574* (Basel: Basler Buch- und Antiquariatshandlung, 1904), 24–25.

any sort of a prelapsarian covenant, and especially to the covenant of works. These topics are: 1) the *imago Dei*, 2) the *law* and 3) the *tree of life*.

2 The *imago Dei*

Of what does the *imago Dei* consist? Or, what is it to be created in the image of God? For Bullinger, it was not primarily a question of substance, but one of *relationship*. Namely, how man relates to God and creation. To ask “what is man?” in an absolute sense would be to miss Bullinger’s point. In fact, he asks “what is man *before* God and creation?” This is the underlying question behind Bullinger’s theological anthropology. He asks “Ad quid sit conditus?” or “In quem finem?”²¹ And the overall response he gives is *lordship* [= dominium] over creation (cf. Genesis 1: 28). This lordship is not left unqualified: “That he would be like a vice-regent [= vicarius] in the world.” That is, *God’s* vice-regent in the world. This is another way of saying that God, the regent, would rule over creation through man, his vice-regent. As such, man is the “glory of God.”²² To be created in the *imago* or *gloria Dei*, therefore, is first of all a mandate – the mandate to rule.

Bullinger discusses whether the *imago Dei* might substantially refer to the body, but he denies this point: “This image does not consist in the body but in the soul and the dignity.” He can also say that it is “according the spirit.” He means, thereby, two spiritual virtues, holiness and righteousness, by which man should be ruled [= dominaretur]. Bullinger finds scriptural support for this view most notably in Colossians 3: 10 and in Ephesians 4: 24, where the Apostle urges readers “to put on the new man, which is renewed in knowledge after the image of him that created him” or “to put on the new man, which after God is created in righteousness and true holiness” (KJV 2009).²³ Bullinger interprets Mosaic protology in the light of Pauline eschatology. The *Imago Dei*

21 Ms. Car III 203, 5r (my italics).

22 “Quo ad dominium gerit imaginem Dei homo.... *Ut sit in mundo veluti vicarius.... Vir ad imaginem Dei conditus gloria Dei est.*” Ms. Car III 195a, 11 (my italics).

23 “Tam dicit ad quid conditus homo. Ad imaginem et similitudinem. Hoc est, ut sanctus, iustus, verax esset, dominaretur omnib[us]. *IMAGO haec non in corpore, sed in animo et dignitate.* Huc pertinent loca Ephe. 4, Colloss. 3. Vos non sic didicistis Christum, siquidem illum audistis et in illo docti estis, quemadmodum est veritas in Iesu, deponere iuxta priorem conversationem veterem hominem, qui corrumpitur iuxta concupiscentias erroris, renovari vero spiritu mentis vestrae et induere novum hominem qui secundum Deum conditus est per iustitiam et sanctitatem veritatis.” Ms. Car III 203, 5r (my italics).

ultimately becomes *imago Christi*, to which man must conform. Bullinger further writes:

The mind should be illuminated with the knowledge of God, so that the will might submit to the mind. That sense might also consent and obediently abide in the body, so that the corruptible body itself might take it [the corrupted image?] off and take on incorruptibility and be glorified. This is the *imago Dei* for which we were created. This image is better than the first one. Man was created that he could fall. Our restoration will be of such a kind that we cannot fall from blessedness.²⁴

In accordance with Augustine, Bullinger argues that the renewed image is superior to the first as it can no longer fall. Bullinger does not refer here to an eschatological fulfillment of the prelapsarian *imago Dei*, but to its restoration in fallen man, who is elevated to a higher or glorified mode as created in the image of God. Bullinger moves easily back and forth between man's protological and eschatological image of God. Given Bullinger's reference to the restored *imago Dei* as a way of explaining what the original *imago Dei* was meant to be, the possibility is left open for some glorified fulfillment achievable by unfallen man.

With respect to the mandate of the *imago Dei*, Bullinger explicitly uses the term *officium*, adding: "If we were created in [his] image, we must not dishonor it with distortions but sanctify it."²⁵ In another place, he writes: "we should honor the image." He clearly contrasts the spiritual office of lordship over creation with "tyranny." Man is bound to a creational order he has to *serve*, an order basically regulated by the law, as we shall see.²⁶

Bullinger connects man's lordship and the *imago Dei* to covenantal concepts. He is aware of a discussion among scholastics, "whether a man in the state of mortal sin can be a legitimate [= *iustus*] owner or lord of things."

24 "Mentem oportet illustrari agnitione nostri Dei. Ut voluntas menti subiiciatur. Sensus item consentiat et in corpore sit obedientia, imo ut corpus ipsum corruptibile exuat hanc et induat incorruptibilitatem et glorificetur. Haec est imago Dei, ad quam sumus conditi. Haec imago melior prima. Nam homo conditus, ut cadere possit. Nostra restitutio talis erit, ut non possimus labi ex beatitudine." Ms. Car III 195a, 12.

25 "Si conditi sumus ad imaginem, non debemus polluere viciis sed sanctificare." Ms. Car III 195a, 12.

26 "Honoremus imaginem. Propellitur: 1) Tyrannis. Ordo est non, ut praesis sed ordine servias, ut sis utilis." [We should honor the image. Rejected is: 1) Tyranny. The order does consist in being the head thereof, but in serving that very order, so that you might be useful]. Cf. Ms. Car III 203, 5v. See further Ms. Car III 195a, 13.

They [scholastics] deny [this argument]. A good prince does not feud [foeudum] with a foe. As sinners are foes, they cannot be legitimate owners. Lordship is in the image of God [in imagine Dei]. The image of God is perverted in the wicked. Hence, they [sinners] are illegitimate owners. Adam and Eve, having been placed in paradise, were expelled. Hence, those in a state of mortal sin are not legitimate lords.²⁷

We do not have Bullinger's opinion on this scholastic debate, as the crucial folios have been lost. Two things, nevertheless, can be concluded that are implicitly assumed by medieval theologians and which would have hardly been challenged by Bullinger in light of what we have seen so far. First, there is a causal relation between *imago Dei* and lordship, so that if the *imago Dei* is perverted it immediately affects the way man rules or owns creation. And, second, the scholastics compared the prelapsarian relationship between God and the Adamic couple in regard to paradise with the bond between a feudal lord, also called suzerain, and his vassal. The feudal relationship in medieval Europe was regulated by mutual obligations sanctioned by oath.²⁸ By way of analogy, it had obvious similarities with the so-called *Suzerain Vassal* treaties of the Ancient Near East, which shared common patterns with the biblical covenants, as modern exegesis has pointed out.²⁹ We can, therefore, hardly resist the idea that Bullinger's concept of the *imago Dei* implies the prelapsarian relationship between God and man to be similar to a covenant. God grants creation to man as long as man rules over it in righteousness and holiness as expressed by the law, to which I now turn.

27 "Quaerunt Scholasti an homo in mortali peccato positus sit iustus possessor et dominus rerum? Negant. Bonus princeps non dat foeudum perduelli. Peccatores sunt perduelles. Ergo non iuste possident. Dominium est in imagine Dei. Imago Dei est eversa in sceleratis ergo iniusti possessores. Adam et Eva positi in paradyso, eiecti sunt ex paradyso. Ergo in mortali peccato positi non sunt iusti domini." Ms. Car III 195a, 20.

28 Cf. François Louis Ganshof, *Qu'est-ce que la féodalité?* (Neuchâtel: Baconnière, 1947).

29 This discovery is usually associated with the American Biblical scholars George E. Mendenhall (1916–2016) and Meredith G. Kline (1922–2007). See: George E. Mendenhall, *Law and Covenant in Israel and the Ancient Near East* (Pittsburgh: The Biblical Colloquium, 1955); Meredith G. Kline, *Treaty of the Great King: The Covenant Structure of Deuteronomy, Studies and Commentary* (Grand Rapids: Eerdmans, 1963). For an assessment of their thesis in light of more recent research, see the article by Koert van Bekkum in the present volume.

3 The Law

Bullinger gives special significance to the Sabbath, which is not only seen as law in the strict sense, but as promise.³⁰ He writes:

The Sabbath is to be mentioned carefully. First, because it befalls created man. There is Sabbath after lordship [= dominium]. It signifies what man has been created for. We will understand it as we will expose the mystery of the Sabbath.³¹

And what is this mystery? Bullinger follows:

God created man on the sixth day and on the seventh he rested. Christ suffered on the sixth day and on the seventh he rested. He [Moses?] spoke of the fulfillment [of the Sabbath]. [That is] the eternal rest given after labor. Man was created for rest, for eternal life.³²

The Sabbath stands for eschatological fulfillment of the *imago Dei*, which prelapsarian man would have achieved if he had stayed obedient. This fulfilled *imago Dei* could after the fall only be achieved by Christ's obedience unto death on the cross. We see once more how protology and eschatology, as well as anthropology and Christology, are interwoven in Bullinger's thought.

With regard to the law in stricter terms, the *imago Dei* requires obedience. To be bound to God is to be bound to the law, as the law reflects God's own holiness and righteousness. Bullinger writes: "Man is now placed in paradise as in a gymnasium, where his obedience could be practiced."³³ Further:

[God] instructed [him] with law. [1]) He was Lord, so that he could command his creature 2) As he was just, he supplied him with gifts. He wanted

30 Cf. Ms. Car III 203, 6r; Ms. Car III 195a, 24–25.

31 "DE SABBATO diligenter dicendum. Primum, quod homini condito obvenit. Sabbatum est, post dominium. Significans ad quid conditus homo. Quod intelligemus cum mysteria exposuerimus sabbati." Ms. Car III 203, 6r.

32 "Deus 6. die hominem condidit, 7. quievit. Christus 6. passus, 7. quievit. Dixerat consummatum. Aeterna quies, quae dabitur post labores. Conditus ad quietem, vitam aeternam homo." Ms. Car III 203, 6r.

33 "HOMO nunc ponitur in paradysum ut in gymnasium, in quo obedientia eius exerceatur." Ms. Car III 203, 8v.

to test [man's] gratitude. 3) [It was] easy. If a king imposes a duty on a city to which he has given all manner of privileges, it is a sign of lordship.³⁴

In other words, the law and the required obedience reminds created man that there is a regent over him to whom he is held accountable, as he is only a *vice-regent*. Man's own lordship is not absolute. Bullinger further asks "What kind of law?," and responds: "Only obedience. In it all laws are encompassed."³⁵ He refers to God's command not to eat from the tree of the knowledge of good and evil. "The name [of the tree] is given by anticipation", writes Bullinger.³⁶ "The tree as *sacramentum* is not in itself the source of moral knowledge."³⁷ Through the command, that is through Adam's response, the first man learns not through the mind but through the will what is good or evil, namely by way of obedience or disobedience. Bullinger writes elsewhere regarding intellectual knowledge of the law that "the Decalogue is a compendium of the natural law engraved in the natural mind."³⁸ The reformer makes a fine-tuned distinction between law as related to the mind and obedience, which is a willing submission to it. As Bullinger states: "What is important in the laws is obedience, that man does not determine what is just and unjust from his own judgment, but gets [it] from the law, from the Word of God."³⁹ Adam, however, obtained knowledge of good and evil not through obedience, but disobedience.

4 The Tree of Life

What if Adam had not disobeyed? Would that have signified for man the *status quo* or some change in his being? To put it in other words, is obedience to the law about preserving or fulfilling the *imago Dei*? We enter here the critical subject of prelapsarian or non-redemptive eschatology. Is there such a thing at all in Bullinger's thought? We have already seen in addressing Bullinger's concept

34 "LEGE instruit. [1]) Dominus fuit, ergo creaturae praecipere potuit. 2) Aequum fuit, dotib[us] instruxit. Gratitude[m] explorare voluit. 3) Facile. Si rex omnib[us] privilegiis instructae civitati imponeret assem, signum domini." Ms. Car III 203, 8v.

35 "LEX qualis. Obedientia tantum. In hoc omnes leges." Ms. Car III 203, 8v. See also Ms. Car III 195a, 38–39.

36 Ms. "Nomen impositum ... per anticipationem." Car III 195a, 33.

37 Cf. "PER SACRAMentum adumbratum. Arbor non fuit scientia, sed admonebat. Sic sacramenta, reb[us] magnis addita." [It is represented by a sacrament. The tree was not knowledge (in itself), but admonished. Thus are the sacraments added to great things]. Ms. Car III 203, 8v.

38 "Decalogus est compendium legis naturae insculptae naturae menti." Ms. Car III 195a, 18.

39 "Praecipuum in legib[us] obedientia, quod iustum et iniustum homo non indicet ex suo arbitrio, sed petat ex lege, verbo Dei." Ms. Car III 195a, 33.

of the *imago Dei* and the concept of the law that some evidence points in this direction. Crucial to answering this question is the role played by the tree of life, to which access is denied to fallen man. To put it more clearly, we must first ask whether man was created immortal.

Bullinger holds to a dichotomous view of man as constituted of body and soul. On the one hand, the inspired soul is celestial in origin and, therefore, immortal in the sense that it will never be annihilated.⁴⁰ When Bullinger speaks of the death of the soul, he refers to its fallen state and not to its annihilation.⁴¹ On the other hand, the original body of man was potentially mortal. That is, it could possibly be annihilated by going back to where it came from (i.e. dust). Bullinger argues that man was created mortal to become immortal: “he [man] was created mortal with the intention that he might be saved.”⁴² Bullinger refers to Elijah’s ascension as an illustration (cf. 2 Kings 2). Man’s body was created similar to that of the animals that need food and drink. The animal body, however, is contrasted with the eschatological body (spiritual and immortal) in reference to 1 Corinthians 15. He explains: “Before [Christ] died, he lived an animal life. After [his] resurrection from the death, however, he had [no longer] an animal, that is a mortal [life].”⁴³

Bullinger considers the tree of life, as well as the tree of knowledge of good and evil, to be a symbol or sacrament. What is the relationship between immortal life and the tree of life as a sacrament? As man’s body is sustained by the fruits produced by the tree, so should man be reminded thereby that his life ultimately relies on God, writes Bullinger. He adds that it is a symbol for Christ the savior of the body as well as of the soul.⁴⁴ The fact that there is no more access to the tree of life in paradise after the fall, for Bullinger, is evidence that “salvation and life are no more to be found on earth. Eternity will be above the skies.”⁴⁵ The sacramental function of the tree of life as a symbol for Christ points to a fulfilled or eschatological mode of being created in the image of God.

40 Cf. “Spiraculum significat coelestem originem esse animae.... Ita notatur immortalitas.” [The breath signifies the celestial origin of the soul.... It denotes immortality]. Ms. Car III 195a, 27.

41 Cf. “Mors animae, quod ab originali iustitia defecit.” = [The death of the soul (occurred), because it felt from its original justice]. Ms. Car III 203, 13r.

42 “Ex hypotisi cum conditum, ut possit mori, sed tantum servatur.” Ms. Car 195a, 15.

43 “Vixit ante mortus vita animali. A morte post resurrect[ionem] non habuit animale, id est mortale.” Ms. Car 195a, 29.

44 “Erat item symbolum servatoris Christi.... Non tantum corporeae ergo vitae sed animae quoque symbolum.” Ms. Car III 195a, 32.

45 “Salus et vita non est amplius in terra, id est, aeternitas posthac erit supra coelos.” Ms. Car III 203, 14r.

5 Conclusion

At the end of this essay, I conclude that Bullinger assumed the following three basic points with regard to the prelapsarian relationship between God and man: 1) The *imago Dei* as lordship over creation was a mandate; 2) This mandate was conditioned by obedience to God's law; 3) This obedience was the prerequisite for immortal and eschatological life. If one accepts these basic points to be foundational for the later development of the covenant of works, the discontinuity-thesis between Bullinger and the later covenant theologians in the Reformed tradition becomes difficult to sustain.⁴⁶ The fact that Bullinger never mentions the word "covenant" in his exegetical notes on the first three chapters of Genesis should not be disturbing. As a matter of fact, he does not mention the covenant of grace either when he comes to Genesis 3: 15, which signals the very beginning of redemptive history. He speaks of promise and restoration, not of covenant. I am not asserting that Bullinger was the forerunner of the covenant of works. What I have shown is that Bullinger's exegesis shares basic similarities with this concept, that he could not have been fundamentally opposed to its theological development. Greater continuity between Bullinger and the Reformed tradition with regard to covenant theology needs to be more fully acknowledged.

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46 I have been asked at the conference whether these conclusions do not point to a common Augustinian heritage widely shared at that time. Bullinger does in fact quote Augustine a number of times in his notes and refers explicitly to his exposition of Genesis. He makes no secret of his dependence upon the fifth century theologian. The question that should be asked, however, is whether the later covenant theologians saw themselves in respect to the covenant of works in continuity with Augustine. If this question can be answered in the affirmative, Bullinger, then, appears to be in line with this Augustinian-late Reformed tradition.

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Friendship, Covenant, and Law: The Doctrine of the Covenant of Works in Johannes Braun (1628–1708)

Matthias Mangold

1 Introduction

The doctrine of the covenant of works (*foedus operum*) was an integral element of classical federal theology as it was developed by Reformed thinkers in the seventeenth century. In the so-called Westminster Standards written in the late 1640s it even received confessional status.¹ Ever since, the covenant of works has occupied an important place in the theology of Reformed churches throughout the world and specifically in the Presbyterian tradition. However, since the middle of the nineteenth century the traditional form of this doctrine has also been subjected to critical investigation, which at times led to outright rejection. Moreover, as the contribution of Hans Burger² in the present volume shows, some systematic theologians nowadays discuss what a distinctively Reformed theology would look like without the concept of the covenant of works.

The present article does not attempt to address the biblical-theological arguments advanced by contemporary critics of this concept, nor will it engage in a systematic-theological defense of the covenant of works. Instead, it will provide a brief historical-contextual analysis of a classic expression of this doctrine in one of the foremost representatives of federal theology in the late seventeenth century. Based on this analysis, it will be argued that the original, seventeenth-century form of this doctrine is more nuanced and complex than modern scholarship oftentimes suggests. Thus, this article seeks to invite modern-day critics as well as advocates of the ‘covenant of works’ doctrine to abandon common nineteenth century textbook representations and – in a

1 See WCoF 7.2; 19.1; WSC Q.12; WLC Q.20. While the confession uses the term ‘covenant of works,’ the catechisms speak about the ‘covenant of life.’ Regarding the prominence of the covenant idea more generally, the Westminster Standards mark a new development in the history of Reformed confessions.

2 See chapter 16, 325–48.

truly humanist manner – go back to the sources and deal with classic federal theology in its original form.

2 Johannes Braun (1628–1708) and His *Doctrina foederum*

Johannes Braun is widely acknowledged as one of the foremost representatives of classical federalism in the Netherlands in the (late) seventeenth century.³ Nevertheless, his work has been almost completely neglected by scholars to this day.⁴ In a sense, this fact is of little surprise, as it reflects a broader scholarly lacuna: Whereas the work of the central figure in seventeenth-century federalism, namely Johannes Cocceius (1603–1669), has repeatedly been studied in considerable detail,⁵ the thought of his pupils and theological heirs has for the most part remained unknown territory.⁶ This is unfortunate, because even more broadly oriented intellectual historians have increasingly come to recognize the significance of the so-called ‘Cartesio-Cocceian school’ for

3 Willem J. van Asselt, *Amicitia Dei: een onderzoek naar de structuur van de theologie van Johannes Coccejus (1603–1669)* [*Amicitia Dei: An Investigation into the Structure of the Theology of Johannes Cocceius (1603–1669)*] (Ede: ADC, 1988), 140–41.

4 In recent decades, Braun's life and work has been treated only in two short studies: C. Graafland, “Structuurverschillen tussen voetiaanse en coccejaanse geloofsleer” [Structural differences between Voetian and Cocceian doctrine], in *Een richtingensrijd in de Gereformeerde Kerk: voetianen en coccejansen 1650–1750* [A struggle in the Reformed Church: Voetians and Cocceians 1650–1750], ed. F.G.M. Broeyer and E.G.E. van der Wall (Zoetermeer: Boekencentrum, 1994), 28–53; Piet Steenbakkers, “Johannes Braun (1628–1708), Cartesiaan in Groningen” [Johannes Braun (1628–1708), Cartesian in Groningen], *Nederlands Archief voor Kerkgeschiedenis* 77.2 (1997): 196–210. Cf. also fn. 8.

5 At least four major in-depth studies have appeared since the 1950s: Charles Sherwood McCoy, “The Covenant Theology of Johannes Cocceius” (PhD diss., Yale University, 1956); Heiner Faulenbach, *Weg und Ziel der Erkenntnis Christi: eine Untersuchung zur Theologie des Johannes Coccejus* (Neukirchen: Neukirchener Verlag, 1973); Willem J. van Asselt, *The Federal Theology of Johannes Cocceius (1603–1669)* (Leiden: Brill, 2001); Brian J. Lee, *Johannes Cocceius and the Exegetical Roots of Federal Theology: Reformation Developments in the Interpretation of Hebrews 7–10* (Göttingen: Vandenhoeck & Ruprecht, 2009).

6 This lacuna was clearly identified by Van der Wall already in 1994, but since then not many efforts have been devoted towards filling it. See E.G.E. van der Wall, “De coccejaanse theoloog Petrus Allinga en het cartesianisme” [The Cocceian theologian Petrus Allinga and Cartesianism], in *Een richtingensrijd in de Gereformeerde Kerk: voetianen en coccejansen 1650–1750* [A struggle in the Reformed Church: Voetians and Cocceians 1650–1750], ed. E.G.E. van der Wall (Zoetermeer: Boekencentrum, 1994), 131.

To be sure, other learned men have written about the *Covenant of God* (de *Foedere Dei*)¹³ and about the *Economy of the Covenants* (de *Oeconomia Foederum*),¹⁴ and nevertheless – as far as I know – nobody has ever set forth all of theology as the *Teaching on the Covenants* (*Doctrina Foederum*), that is, in such an order as the nature of the Covenant requires.¹⁵

With this statement, Braun places his work in the context of seventeenth-century federal theology. He clearly saw himself in the tradition of his teacher Cocceius as well as his contemporary Hermann Witsius (1636–1708), but at the same time he wanted to move beyond their work towards a more consistent federal approach. Although modern commentators are doubtful about whether Braun succeeded in this endeavor,¹⁶ the *Doctrina* was very well received in its own day. The Latin edition went through five printings, while the Dutch translation (first published in 1694)¹⁷ was re-printed three times until 1737. Thus, Braun's federal theology seems to have been highly influential not only in the academic realm, but also among the common people in the Netherlands, who were less capable of reading Latin. Moreover, the preface to the Dutch translation suggests that its influence transcended the boundaries of the Dutch Republic. Apparently, there was at least one edition that was published in Germany.¹⁸

Before turning to an analysis of Braun's doctrine of the covenant of works (*foedus operum*) against the background of the critical discussions outlined above, a brief overview of the *Doctrina* is in order. Braun divides his federal dogmatics into four major parts which comprise various quantities of chapters. In the first part ("The Instrument of the Covenants") he treats the doctrine of scripture as well as hermeneutical questions. Part two is devoted to the "covenanted partners," that is, to God and humankind. In the third part, Braun delves into "the covenants themselves" elaborating on the general nature of the covenants as well as the two central covenants, namely the covenant of works (*foedus operum*) and the covenant of grace (*foedus gratiae*). The fourth and

13 Probably a reference to Cocceius's *Summa doctrinae de foedere et testamento Dei* (1648).

14 Most likely a reference to Hermann Witsius's *De oeconomia foederum Dei cum hominibus* (1677).

15 Braun, *Doctrina*, ††3v.

16 Josef Bohatec, "Die Methode der reformierten Dogmatik," *Theologische Studien und Kritiken* 81 (1908): 388; Graafland, "Structuurverschillen," 48–50.

17 Johannes Braun, *Leere der verbonden, ofte kort begryp der onderwysige en wederleggige godgeleerdheid* [The doctrine of the covenants, or a summary of didactic and elenctic theology] (Amsterdam: Abraham van Someren, 1694).

18 Braun, *Leere der verbonden*, *2r. No copies of this printing seem to be extant.

final part elaborates on the “economies of the covenants” based on a threefold division of salvation history (time of promise, Old Testament, New Testament).

The following analysis will mainly be based on the first and second chapter in the third part entitled “On Covenants in General” and “On the Covenant of Works,” respectively.¹⁹ Other parts of the *Doctrina* will only be brought into the discussion in so far as they are necessary for a fuller understanding of the ideas presented in these chapters.

3 Braun's General Concept of 'God's Covenant'

Braun opens the discussion about covenants with some foundational remarks regarding the concept of 'covenant' in general. In a manner typical for this period, he spends a considerable amount of ink on ascertaining the precise meaning of the Latin term 'covenant' (*foedus*) in antiquity as well as its Greek and Hebrew equivalents in the biblical writings. After discussing the various etymological theories behind the Latin term, he notes that they should not be a point of concern, “because God never made a covenant in Latin.”²⁰ Much more important is the Hebrew term ברית, which suggests that covenanting is fundamentally about choosing or electing.²¹ In a way similar to ברית, the Greek word διαθήκη can stand for a “testamentary disposition” (lat. *testamentum*) and this meaning is very fitting for divine-human covenants, since they “originate from the mere will of God.”²² At the same time, Braun remarks, the word διαθήκη is also commonly used in scripture for mutual agreements, and in this sense corresponds to the Latin term *foedus*.²³ More could be said about the way in which Braun distinguishes the various meanings of the terms in the biblical writings and how he backs them up with numerous examples, but this brief overview should be sufficient to illustrate his deep commitment to basing theological terminology on the Bible.²⁴

This commitment to scripture, however, is not restricted to the terminological level. Braun also exhibits awareness for broader theological implications,

19 Braun, *Doctrina*, 249–65 (III.i–ii).

20 Braun, *Doctrina*, 250 (III.i.3).

21 Braun, *Doctrina*, 250–251 (III.i.4). He derives ברית from ברה (barah) which he translates as “to elect.”

22 Braun, *Doctrina*, 251 (III.i.5).

23 Braun, *Doctrina*, 251 (III.i.5).

24 This concern is shared by many contemporaries. On Witsius's discussion of biblical covenant terminology, see Richard A. Muller, *After Calvin: Studies in the Development of a Theological Tradition* (Oxford: Oxford University Press, 2003), 178–79.

when he draws a fundamental distinction between “the covenant of God” (*foedus Dei*) and the covenants “among men” (*inter homines*).²⁵ Covenants among men emerge due to interdependence and mutual interests. God, however, always freely enters his covenants and is never dependent on his creatures in any way. Thus Braun, from the beginning, seeks to ensure that his concept of covenant is compatible with the classic Christian notions of God’s aseity and sovereignty over creation. In the first place, such a covenant is always God’s unilateral initiative (μονόπλευρον). It becomes bi-lateral (δίπλευρον) only, in the second place, when man enters the covenant by accepting the covenant stipulations.

Against the background of these basic distinctions, Braun develops a definition of “God’s covenant” by identifying four essential elements:

1. God’s stipulation / covenant law (*stipulatio*);
2. God’s promise (*promissio*);
3. man’s acceptance of and submission to God’s law (*adstipulatio*); and
4. man’s claim of the promised good after the stipulation of the covenant has been met (*restipulatio*).

Taken together, these elements form the following definition:

God’s covenant is the agreement between God and man concerning the way in which the highest good is to be obtained, under a certain stipulation and promise on the side of God, to which man agrees (i.e., *adstipulates*), with a view to obtaining the right and righteousness (δικαίωμα) to claim, by way of *restipulation*, the promised reward.²⁶

For the modern reader, the adoption of legal terminology (*stipulatio*, *adstipulatio*, *restipulatio*)²⁷ in this definition might appear rather astounding. However, Braun’s use of these terms is in no way original. He simply follows the broader federal tradition before him.²⁸ Commenting on this preference for legal terminology among federal theologians, scholars have repeatedly argued that these thinkers tended to force alien concepts on the biblical text and thereby distorted the scriptural concept of covenant.²⁹ This claim, however, can hardly

25 Braun, *Doctrina*, 252 (III.i.7).

26 Braun, *Doctrina*, 252 (III.i.9).

27 These terms have a long history in Roman contract law. See Adolf Berger, *Encyclopedic Dictionary of Roman Law* (Philadelphia: American Philosophical Society, 1953).

28 Cf. Lee, *Johannes Cocceius*, 127.

29 Nicolaas Diemer, *Het scheppingsverbond met Adam bij de theologen der 16e, 17e en 18e eeuw in Zwitserland, Duitsland, Nederland en Engeland* [The creational covenant with Adam according to the theologians of the sixteenth, seventeenth and eighteenth centuries in Switzerland, Germany, the Netherlands, and England] (Kampen: Kok, 1935),

count as an adequate description of Braun's approach. In line with Cocceius and many others, he does not merely presuppose legal terms and their meanings as a given. Rather, he takes much effort to demonstrate their biblical meaning by adducing various scriptural examples.³⁰ As the definition also indicates, these legal terms are thoroughly re-contextualized within the specific context of the divine-human relationship.

Much like systematic theologians today, federalists like Braun took the freedom to use non-biblical terms in order to systematize what they considered to be biblical teachings. The mere presence of such terms does not indicate a distortion of scriptural teaching.³¹ The fairness of such criticism has to be decided by an analysis of the underlying concepts. This survey of Braun's introductory chapters suggests that he had a nuanced understanding of both the biblical terms and the theological concept of the 'covenant.' Moreover, contrary to a thesis prevalent in older scholarship, there is no evidence of a latent tension between covenant and predestination.³² In fact, Braun makes use of several distinctions with a view to integrating divine sovereignty and human responsibility. The remainder of this article will focus on various aspects of Braun's understanding of the covenant of works starting with its anthropological presuppositions.

4 The Anthropological Presuppositions of the Covenant of Works: The Image of God and the Perfectibility of Man

As indicated earlier, Braun acknowledges two covenants in scripture: "The *covenant of works*, which God made with Adam in the state of integrity" and

29; James B. Torrance, "Covenant or Contract? A Study of the Theological Background of Worship in Seventeenth-Century Scotland," *Scottish Journal of Theology* 23.1 (1970): 51–76; Nicolaas T. Bakker, *Miskende gratie van Calvijn tot Witsius: Een vergelijkende lezing, balans van 150 jaar gereformeerde orthodoxie* [Disregarded grace from Calvin to Witsius: A comparative reading, balance of 150 years of reformed orthodoxy] (Kampen: Kok, 1991), 170–96.

30 Braun, *Doctrina*, 252 (III.i.8).

31 Thus, this study confirms Muller's remarks about the covenant concept in Witsius and Å Brakel. See Muller, *After Calvin*, 179.

32 Heinrich Heppe, *Geschichte des Pietismus und der Mystik in der reformierten Kirche, namentlich der Niederlande* (Leiden: Brill, 1879), 207–8; Heinrich Heppe, *Dogmatik des deutschen Protestantismus im sechzehnten Jahrhundert* (Gotha: Perthes, 1857), 1:143–44; Ludwig Diestel, "Studien zur Föderaltheologie," *Jahrbücher für deutsche Theologie* 10 (1865): 268; Otto Ritschl, *Die reformierte Theologie: des 16. und des 17. Jahrhunderts in ihrer Entstehung und Entwicklung* (Göttingen: Vandenhoeck & Ruprecht, 1926), 43; C. Graafland, *Het vaste verbond: Israel en het Oude Testament bij Calvijn* [The firm covenant: Calvin on Israel and the Old Testament] (Amsterdam: Bolland, 1978).

“the *covenant of grace*, which God made with fallen man after sin.”³³ One of the crucial differences between the two covenants is the state of the human covenant party: upright or fallen. But what exactly does Adam’s “state of integrity” imply? Or, to put the question more broadly, what are the anthropological implications of Braun’s doctrine of the covenant of works?

The most interesting statement in that regard is not found in the chapter on the covenant of works, but rather at the beginning of the earlier chapter “On the Image of God in Man.” There, Braun states: “So that man might be more capable to receive and observe the covenant of God, he was not only created as *man* (consisting of a body and a thinking and willing soul), but God created him also in his *image*.”³⁴ This *imago Dei*, as he explains further on, is not located in the human body, but rather in the soul.³⁵ Yet, it cannot be identified with the human soul *as such* (in *essentia animae*), which is common to all men. According to Braun, the *imago Dei* is the distinguishing factor between believers and unbelievers.³⁶ Being created in God’s image means being endowed with an upright soul, namely a soul that is both wise (*sapiens*) and perfectly holy (*perfecte sanctus*).³⁷ The latter property implies that human beings by nature are endowed with a disposition of love towards God.³⁸ The significance of these statements becomes evident when they are set side by side with other contemporary understandings of the pre-fall state. Against some of his Roman-Catholic interlocutors, Braun emphasizes that God cannot possibly have created man in a neutral state (*in statu pure naturali*), nor with a natural propensity towards evil (*concupiscentia*).³⁹

In Braun, the doctrine of the *imago Dei* functions as the link between creation and the covenant of works. At creation, man was not immediately placed in a divine covenant, but by nature he was both capable of and inclined to enter the covenantal relationship with God. The implied distinction between creation and covenant seems to make Braun a representative of what Diemer criticized as the “mechanical” view of the later federal theologians, which deviated from the “organic” interpretation of the early Reformers, according to which the covenant was established immediately in creation.⁴⁰ Diemer and, more recently, Karlberg, interpret the emergence of the “mechanical” view as

33 Braun, *Doctrina*, 253 (III.ii.1). Italics in the original, if not indicated otherwise.

34 Braun, *Doctrina*, 238 (II.xv.1).

35 Braun, *Doctrina*, 240 (II.xv.6).

36 Braun, *Doctrina*, 240–241 (II.xv.7).

37 Braun, *Doctrina*, 246–247 (II.xv.16–17).

38 Braun, *Doctrina*, 247 (II.xv.17).

39 Braun, *Doctrina*, 247 (II.xv.17–18).

40 Diemer, *Het scheppingsverbond*, 28–29.

a relapse into the alleged medieval scholastic dualism of nature and grace.⁴¹ However, there are at least two reasons why this interpretation should be rejected. For one, Braun's thought is incompatible with the idea that Adam's condition apart from the covenant can be conceived as a purely natural state, which was later supplemented by the supernatural grace of the covenant. Quite to the contrary, his doctrine of the *imago Dei* clearly suggests that from the very beginning man was created and fully equipped, as it were, for fellowship with God. Secondly, while Braun distinguishes between creation and covenant, he does not separate them. Adam was created for the covenant and by his very nature he could not but enter into God's covenant.⁴²

Against various Socinian, Remonstrant, and Jesuit notions, Braun defends his version of Adam's original perfection. Yet, of course, he also teaches that man's natural uprightness and love for God does not exclude the possibility of sin. Adam was created *ex nihilo*, participated *in nihilo* and was therefore mutable; that is, he could lose his natural perfections.⁴³ This mutability lies at the root of the covenant of works. By way of perfect obedience to the covenant law Adam was to attain to immutability, that is, enter into a state of confirmed righteousness.⁴⁴

More importantly for Braun, however, is that the promise of the covenant of works also entailed the transition from an inferior *earthly* state to a superior *heavenly* fellowship with God. No matter how glorious Adam's Edenic existence must have been, his enjoyment of God remained indirect, tied to earthly necessities (e.g., eating and drinking),⁴⁵ and therefore was less than consummate. Only by leaving behind this earthly existence, Braun argues, Adam would become like the angels (ἰσάγγελος, Luke 20: 36) and reach his ultimate destiny of perfect bliss. This longing for the most intimate relationship with his creator (*desiderium summi boni*) was implanted in Adam's soul from the very beginning, but it was also outwardly confirmed in the promise of the covenant.⁴⁶

Thus, Braun's doctrine of the covenant of works implies that physical creation, and most importantly the human body, from the beginning was not constituted in such a way that it was capable of full communion with its maker. In a sense, not only the garden of Eden, but creation as a whole is only an episode on the way towards a purely spiritual or angelic fellowship with God. While

41 Diemer, *Het scheppingsverbond*, 35–36; Mark W. Karlberg, "The Original State of Adam: Tensions within Reformed Theology," *Evangelical Quarterly* 59.4 (1987): 295–300.

42 Braun, *Doctrina*, 253 (III.ii.2).

43 Braun, *Doctrina*, 269 (III.iii.10).

44 Braun, *Doctrina*, 248–249 (II.xv.21); 270 (III.iii.12).

45 Braun, *Doctrina*, 260 (III.ii.14).

46 Braun, *Doctrina*, 261 (III.ii.16).

Braun would certainly reject the sharp anthropological dualism of the platonic type (the body as an evil to be overcome), his doctrine of the covenant of works seems to imply a general superiority of the spiritual over against the physical aspect of creation. The physical by its very nature is limited and meant to be only temporal, while the spiritual will enjoy the ultimate reality of heaven. In Braun's federal theology, the conditions for man's transition from the earthly life of Eden to the life of heavenly bliss are regulated in the covenant of works, that is, in the covenant stipulations. This aspect will be discussed in the following section.

5 Love, Works, and Merit: Original Mankind in Relationship with God

The covenantal relationship between God and Adam before the fall was marked by the divine law which requires perfect obedience. Through his works, Adam was supposed to obtain consummate blessedness.⁴⁷ In this respect, the pre-lapsarian covenant of works differs fundamentally from the post-lapsarian covenant of grace, in which eternal life is gratuitously given to fallen mankind. According to Braun, these two principles of obtaining eternal life (works/grace) cannot possibly coexist in one covenant. Therefore, he adamantly opposes the view of John Cameron (c. 1579–1625) according to which the Mosaic covenant was partly built on grace and partly on works stipulated in the Mosaic law.⁴⁸

The legal basis of the covenant of works is twofold. On the one hand, it rests on the *natural law* implanted in the human mind at creation (virtually identical to the Decalogue, apart from the Sabbath commandment).⁴⁹ On the other hand, it is based on the *positive law* which is given regarding the tree of the knowledge of good and evil. The positive law is also called *probative*, as it was specifically given to test Adam's loyalty to God.⁵⁰ How long Adam would have remained in this state of probation cannot be determined with certainty. It seems, however, that the temptation by the devil in the form of the serpent was supposed to be both the climax and the end of the probationary period. Had Adam obeyed, he would have merited eternal blessedness.⁵¹

47 Braun, *Doctrina*, 253 (III.ii.1).

48 Braun, *Doctrina*, 253 (III.ii.1).

49 Braun, *Doctrina*, 257 (III.ii.7).

50 Braun, *Doctrina*, 257 (III.ii.9).

51 Braun, *Doctrina*, 259 (III.ii.12).

Regarding the concept of merit, Braun uses a threefold distinction that has its roots in late-medieval scholasticism. In his opinion, there are two forms of merit that do not do justice to the nature of the divine-human relationship within the covenant of works. First, 'condign merit' (*meritum ex condigno*) is excluded, because it assumes that the reward is strictly deserved due to the dignity of the person and/or the person's works. Second, 'congruent merit' (*meritum ex congruo*) is based on some extraordinary divine gifts which form the basis of the reward in the sense of a "grace that makes [the receiver] pleasing to God" (*gratia gratum faciens*). This kind of merit is also unacceptable, because it turns God into a "respector of persons." Moreover, everything Adam was and possessed he had received from God, so it does not make sense to speak about "extraordinary gifts" (*eximia dona*). What remains is 'covenantal merit' (*meritum ex pacto*), which is the only kind of merit that does justice to the nature of God and the original state of man. God, out of mere good pleasure, promises to reward Adam's obedience to the covenant stipulations.⁵²

The ideas of merit and reward so prominent in Braun's account of the original state have provoked strong objections from modern Protestant theologians. Most famously Karl Barth rejected the covenant of works because he saw it as a gateway for Pelagianizing tendencies. For him, it was inconceivable that God enters into a *do ut des* relationship with man, in which God could possibly become the debtor of his own creature.⁵³ In a similar vein, Holmes Rolston III blamed the covenant of works for turning the theocentric, grace-based theology of Calvin into (what he perceived as) the legalistic worldview of the Puritans.⁵⁴ To be sure, it goes far beyond the scope of this article to assess the reception history of this doctrine. Yet, some preliminary remarks can be made based on the present analysis of Braun's concept.

As was mentioned above, Braun stresses the primacy of the divine initiative in covenant making. So, whenever he speaks about merit or reward, these concepts need to be understood as ultimately depending on God. To be sure, according to Braun, God can indeed become the debtor of man, but only because God first binds himself by way of the covenant promise. Accordingly, man's act of restipulation is not described in the abstract legal terms of a *do ut des* transaction, as it occurs between two business partners. The focus is not on the good works and obedience man offers to God, but on God's generosity and faithfulness to his covenant promises. Having fulfilled the covenant

52 Braun, *Doctrina*, 259 (III.ii.13).

53 Karl Barth, *Die Kirchliche Dogmatik* (Zollikon-Zürich: EVZ, 1953), 4/1:66.

54 Holmes Rolston III, "Responsible Man in Reformed Theology: Calvin versus the Westminster Confession," *Scottish Journal of Theology* 23.2 (1970): 129–56.

stipulation, man can approach God with confidence (παρησία, 1 John 3: 21), assurance (πληροφορία, Heb. 6: 11), and hope (ἐλπίς, Heb. 10: 23), because he knows that God will surely grant him the promised reward.⁵⁵ In many ways, the relationship between man and God implied in Braun's concept of the covenant of works resembles that of a loving father who out of generosity and love promises to reward his son if only he abides by the fatherly commandments. Interestingly enough, however, Braun himself prefers another concept to characterize the divine-human relationship before the fall, namely the notion of friendship.

6 Friendship, Covenant, and Law

The connection between friendship (*amicitia*) and covenant is not a novelty in Braun, but appears previously, in the works of William Ames (1576–1633)⁵⁶ and – much more prominently – in the theology of Braun's teacher Cocceius.⁵⁷ Braun himself introduces the notion of friendship in the context of his treatment of the love of God, which he divides into the “love of benevolence” and the “love of friendship.” Whereas the former consists of God's goodness towards men apart from virtuous acts or obedience, the latter is specifically defined as that love “by which God loves the righteous creature which conforms to his sanctity and pleases him.”⁵⁸ Having been created in God's image, man experienced friendship with God from the very beginning, which is also evidenced by the “many benefits” he enjoyed in the garden Eden.⁵⁹ According to Braun this friendship was not a static, but a dynamic reality. Had Adam persevered in obedience towards God, it would have grown, and ultimately been consummated.⁶⁰ How then is this notion of friendship related to the covenant of works? This question can be answered by considering Braun's response to several objections raised against his federal doctrine of the original state. The first objection specifically deals with the relationship between covenant and friendship and reads: “God did not enter into a covenant of works with Adam, because Adam

55 Braun, *Doctrina*, 252 (III.i.8).

56 See William Ames, *Medulla theologica: Editio Novissima* (Amsterdam: Ioannes Ianssonius, 1641), 107 (I.xxiv.13).

57 Cf. Asselt, *Federal Theology*, 256–57; 310–19; Willem J. van Asselt, “Covenant Theology: An Invitation to Friendship,” *Nederlands Theologisch Tijdschrift* 64 (2010): 1–15.

58 Braun, *Doctrina*, 87 (II.iv.10).

59 Braun, *Doctrina*, 253–254 (III.ii.3).

60 Cf. Braun, *Doctrina*, 466 (IV.viii.2), where the *amicitia Dei* seems to be understood as purely eschatological.

was in a state of friendship and therefore did not have a need of a covenant."⁶¹ By way of answering this objection Braun denies that friendship renders the covenant superfluous. His rather brief remarks suggest that the covenant is the means by which friendship is established as well as the context within which it is maintained: "[Adam] was in a state of friendship through (*per*) the covenant of works, as we are through the covenant of grace."⁶²

Another objection questions more specifically the compatibility of friendship with the legal aspects of the covenant of works: "Adam was not given any law, because he was in a state of friendship with God."⁶³ Again, Braun emphasizes that law and friendship are not only perfectly compatible, but that friendship actually requires a legal basis. Braun remarks: "Friendship binds to duty, but duty needs to be rendered according to certain laws."⁶⁴ Thus Braun refuses to play the legal elements of the covenant off against the relational categories of friendship and love. In the covenant of works, Adam enjoyed friendship with God, a friendship that depended on a legal basis for it to be established, preserved, and consummated.

To many modern interpreters of classic federal theology, this fundamental and positive role of law and reward/merit in the divine-human relationship smacks of Pelagianism and legalism.⁶⁵ Such accusations, however, make little sense if these pejorative terms are taken in their classic meaning as referring to mistaken views within soteriology. Federal theologians like Braun commonly acknowledged that the law functions very differently after the fall and that fallen man is in no position to merit divine favor. More fundamentally, modern critics seem to target the classic notion that in order for a creature to enjoy fellowship with God, it has to conform to the moral law as a reflection of God's righteous and holy character. Thus, it seems that at least part of the criticism leveled at classic federal theology is not directed at ideas peculiar to federalism, but rather at the underlying Augustinian conception of the relationship between creator and creature. Moreover, this charge of legalism perhaps reveals more about the modern critic than about the nature of classic federal theology, in which love and law, friendship and duty, or grace and reward are not necessarily understood as antitheses.

61 Braun, *Doctrina*, 255 (III.ii.5).

62 Braun, *Doctrina*, 255 (III.ii.5).

63 Braun, *Doctrina*, 257 (III.ii.8).

64 Braun, *Doctrina*, 257 (III.ii.8).

65 Cf. Rolston, "Responsible Man," 129–56; Bakker, *Miskende gratie*, 72, 134.

7 Conclusion

In this article, a few key aspects of Braun's doctrine of the covenant of works (*foedus operum*) have been analyzed briefly against the background of some issues discussed in modern scholarship. Space constraints have not allowed for a more elaborate discussion of the medieval as well as the early-modern debates behind the development of this concept. A more complete analysis would also have to address the relationship between the covenant of works and the covenant of grace, as well as the role of the former in Braun's doctrine of original sin (federal headship). Yet, despite these limitations, the overarching argument presented in this article should be clear: classic federal theology, as it was developed in the seventeenth century, is more nuanced and complex than modern scholarship oftentimes suggests.

In their endeavor to systematize the teaching of the Bible, federal theologians like Braun took the freedom to use non-biblical legal terminology without necessarily compromising their fundamental commitment to the theological and conceptual world of the scriptures. Whether or not they succeeded in their endeavors is open to debate, but their ideas cannot and should not easily be dismissed as incipient Pelagianism or as a legalist distortion of biblical teaching. Even if one does not agree with their scholastic presuppositions or the way in which they appropriated certain concepts within their overarching federal scheme, seventeenth-century federal theologians deserve to be taken seriously for their efforts to deeply and systematically reflect upon key biblical concepts within the historical context of their times.

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The Fruitfulness of a Paradox: The Doctrine of the Covenant in Wilhelmus à Brakel (1635–1711) Reapplied

Willem van Vlastuin

1 Introduction

In every age Christian theologians have reflected on the enduring theological meaning of the covenant in the Bible for their own church practice.¹ Even theologians of the early church discussed and theorized about the covenant and,² from the time of the Reformation, in particular, it became a substantial theme in theology. In the Reformed tradition there are different interpretations of the covenant: some conceive one covenant,³ two,⁴ three,⁵ or even four covenants.⁶ Some scholars oppose the covenant and Christ,⁷ while others

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- 1 B. Loonstra gave an overview of the development of the doctrine of the *pactum salutis* with an English summary. *Verkiezing – verzoening – verbond: Beschrijving en beoordeling van de leer van het pactum salutis in de gereformeerde theologie* ('s Gravenhage: Boekencentrum, 1990), 381–88.
 - 2 J.L. Duncan, “The Covenant Idea in Ante-Nicene Theology” (PhD diss., University of Edinburgh, 1995).
 - 3 Bullinger spoke about one covenant.
 - 4 Ursinus and Olevianus distinguished two covenants, as well as did the Scottish theologians Boston and the brothers Erskine.
 - 5 Several theologians in reformed orthodoxy accepted the eternal *pactum salutis* as the third covenant. See R.A. Muller, “Toward the *Pactum Salutis*: Locating the Origins of a Concept,” *Mid-America Journal of Theology* 18 (2007): 11–65. Cf. C.R. Trueman, “The Harvest of Reformation Mythology? Patrick Gillespie, and the Covenant of Redemption,” in *Scholasticism Reformed: Essays in Honour of Willem J. van Asselt*, ed. M. Wisse, M. Sarot, and W. Otte (Leiden: Brill, 2010), 199–200.
 - 6 Because John Owen understood the Sinai-covenant as a special covenant, he counted four covenants. See J.R. Beeke and M. Jones, “The Minority Report: John Owen on Sinai,” in *A Puritan Theology: Doctrine for Life* (Grand Rapids: Reformation Heritage, 2012), 293–303; W.J. van Asselt, “Covenant Theology as Relational Theology: The Contributions of Johannes Cocceius (1603–1669) and John Owen (1618–1683) to a Living Reformed Theology,” in *The Ashgate Research Companion to John Owen's Theology*, ed. K.M. Kapic and M. Jones (Farnham: Ashgate, 2012), 65–84.
 - 7 According to K. Barth, the WCoF was too anthropocentric. *The Theology of the Reformed Confessions* (Louisville: Westminster John Knox, 2002), 150–51.

unite them.⁸ According to the Reformed orthodox John Owen (1616–1683), the covenant of grace was only promised during the Old Testament and realized in the death of the testator Jesus Christ.⁹

John Owen, Witsius and Van Mastricht interpreted the covenant in a redemptive-historical way, while Jonathan Edwards, Geerhardus Vos, N. Tom Wright (1948–) and Kevin J. Vanhoozer (1957–) developed this approach further.¹⁰ Against the background of this complex history of covenant-interpretation, I will focus on a well-known representative of ‘De Nadere Reformatie’ (Dutch Second Reformation) in the Netherlands,¹¹ namely, Wilhelmus à Brakel (1635–1711), whose magnum opus *The Christian’s Reasonable Service*¹² has been reprinted about forty times and is still in print in Holland, the United States, China and Spain.¹³ During this examination of Brakel, the status of the church in relation to the covenant, the covenant-structure of Brakel’s work, and the spiritual meaning of the covenant,¹⁴ are focused on in depth in order to retrieve his doctrine of the covenant and give it a contemporary application.

8 In the *Catechismus Maior* Q&A 1 of Ursinus, being a member of the covenant of grace is a firm comfort in life and in death. See L.D. Bierma, ed., *An Introduction to the Heidelberg Catechism: Sources, History, and Theology* (Grand Rapids: Baker Academic, 2005), 163–223.

9 S.D. Renihan, “From Shadow to Substance: The Federal Theology of the English Particular Baptists (1642–1704)” (PhD diss., VU Amsterdam, 2017), chap. 5.

10 J. Owen, *Biblical Theology*, trans. Stephen P. (Morgan: Soli Deo Gloria, 1994), chaps. 2–5; H. Witsius, *The Economy of the Covenants between God and Man: Comprehending a Complete Body of Divinity* (Escondido: Den Dulk Christian Foundation, 1990) 2:108–61; P. van Mastricht, *Theoretical and Practical Theology*, trans. Todd Rester (forthcoming); Jonathan Edwards published *History of the Work of Redemption*, “a body of divinity in an entire new method, being thrown into the form of a history.” *The Works of Jonathan Edwards*, vol. 16, *Letters and Personal Writings*, ed. George S. Claghorn (New Haven: Yale University Press, 1998), 727–28; G. Vos, *Biblical Theology: Old and New Testaments* (Grand Rapids: Eerdmans, 1948); K.J. Vanhoozer, *The Drama of Doctrine: A Canonical Linguistic Approach to Christian Theology* (Louisville: Westminster John Knox, 2005).

11 Among historians there is a discussion about the term *Nadere Reformatie*. J. van de Kamp gives an overview of the discussion and argues for a functional use of this term. *Über-setzungen von Erbauungsliteratur und die Rolle von Netzwerken am Ende 17. Jahrhunderts* (Tübingen: Mohr Siebeck, 2020), 8–14, 462–66.

12 W. à Brakel, *The Christian’s Reasonable Service*, ed. J.R. Beeke, trans. B. Elshout, 4 vols. (Grand Rapids: Reformed Heritage, 1992). Originally published as *Redelijke Godsdienst* (Rotterdam: Reinier van Doesburgh, 1700). Referred to as *CRS*. Book 1 of *Redelijke Godsdienst* includes vols. 1, 2 and 3 of *CRS*.

13 W.J. op ‘t Hof, “Wilhelmus à Brakel,” in *Encyclopedie Nadere Reformatie*, ed. W.J. op ‘t Hof (Utrecht: Kok, 2015) 1:121–29.

14 In 1689 À Brakel wrote *Hallelujah, ofte lof des Heeren, over het Genaden-Verbondt, Ende deszelfs Bedieninge in het Oude en N. Testament, by gelegentheit der verklaringe van den viii. Psalm 8*, 7th ed. (Rotterdam: Reinier van Doesburgh, 1716). This book is rewritten in Dutch by C.J. Meeuse and published in 1979 and 2001. Because À Brakel’s *The Christian’s*

2 The Church as the Dynamic of the Covenant

Looking at the first volume of À Brakel's work, it is the locus of ecclesiology that strikes one. In the Reformed tradition, the most frequent place for this locus is at the end of a synthetic approach to systematic theology. This is seen in Calvin, when he treats ecclesiology in the fourth book of his *Institutes* under the heading: 'The external means or helps by which God invites us to fellowship with Christ, and keeps us in.'

Calling the church 'means' creates the impression that the church has only an instrumental and functional meaning, and that it is not an ultimate purpose in itself. This approach is also apparent in William Ames' *The Marrow of Sacred Divinity*, in Francis Turretin's (1623–1687) *Institutes of Elenctic Theology* and in À Brakel's contemporary Van Mastricht's *Theoretico-practica theologia*. This order also received a confessional status in the *Belgic Confession* and in the *Westminster Confession of Faith*.

À Brakel's choice in this context is remarkable because he puts ecclesiology between Christology and Pneumatology.¹⁵ It is clear that the church is not only an 'external means' for À Brakel, but by using this ordering he revalues the church rather than underestimating it, as it traditionally had been. Without suggesting that he was aware of his theological decision, we can say that in this way the church was given intrinsic value as a form of eternal salvation.

This re-appreciation of the church is not a repetition of the ecclesiology of the early church, but it can be interpreted as a retrieval of this ecclesiology. In the Apostolicum and in Nicea the church is confessed after the confession of the Father, the Son and the Holy Spirit and before the confession of the benefits that believers receive such as forgiveness of sins, resurrection of the body and eternal life. In this way the early church can be seen to value the corporative dimension of Christian faith more than the personal.

It appears that À Brakel became sensitive to the reality of the church in his debates with the Labadists who understood the church as a gathering of true

Reasonable Service was published later, it is available in English, and discusses the covenant-structure the same as in *Hallelujah*, which has been reprinted numerous times and has influenced several generations. In this chapter I focus on this *magnum opus* of À Brakel.

15 F.A. van Lieburg also mentions this order in À Brakel, "Redelijke Godsdienst van Wilhelmus à Brakel," in *Boekenwijsheid: Drie eeuwen kennis en cultuur in 30 bijzondere boeken; Opstellen bij de voltooiing van de Short-Title Catalogue, Netherlands*, ed. J. Bos and E. Geleijns (Zutphen: Walburg, 2009), 188. There is, perhaps, a certain parallel in John Owen's thoughts about worship being communion with the triune God. See R.M. McGraw, *A Heavenly Directory: Trinitarian Piety, Public Worship and a Reassessment of John Owen's Theology* (Göttingen: Vandenhoeck & Ruprecht, 2014), 12, 27, 69–79, 116, 179, 211.

believers only.¹⁶ Wilhelmus à Brakel denies that we can achieve a sound church by making judgements about the truth of its members' faith:

One ought not to identify the church by regeneration, but by the true doctrine, and the sanctification of the confessing members conjoined with this true doctrine. These two are identifiable, and wherever these two are present, the true church is to be found. Whether someone possesses these two in truth or in pretence is a personal matter, however, and is not to be a distinguishing mark for the church for others.¹⁷

À Brakel's criticisms of the Labadist movement were not unique, but his insight concerning the priority of ecclesiology before pneumatology is. This raises the intriguing question: how did 'father Brakel' arrive at this decision and how does it cohere with the structure of his theology? This issue brings us to the covenant-structure of À Brakel's theology.

3 The Covenant-Structure

To understand the structure of À Brakel's book, we refer to the original title: *THE CHRISTIAN'S REASONABLE SERVICE in which Divine Truths concerning the COVENANT OF GRACE are Expounded, Defended against Opposing Parties, and their Practice Advocated as well as The Administration of this Covenant in the Old and New Testaments.*

¹⁶ Of the fifteen references to Labadie and his followers, all but one refer to the church. See also W. à Brakel, *Leere en leydinge der Labadisten ontdekt en wederleijt in een antwoord op P. Yvons examens over onze Trouwhertige Waerschouwinge* (Rotterdam: Reinier van Doesburgh, 1685), 12–13. Cf. F.J. Los, *Wilhelmus à Brakel* (Leiden 1892, reprint Leiden: Groen, 1991), 54–60, 191–231. According to F.A. van Lieburg, À Brakel's *Redelijke Godsdienst* led to the development of a Labadist subculture in the national church. "Redelijke Godsdienst," 192. For À Brakel's debate about Labadism in general, see *CRS* 1:lxiv–lxxi. The most extensive treatment about the relationship between the Dutch Second Reformation and Labadism can be found in C. Graafland, "De Nadere Reformatie en het Labadisme," in *De Nadere Reformatie en het Gereformeerde Pietisme*, ed. T. Brienens ('s Gravenhage: Boekencentrum, 1987), 275–346. About De Labadie and Labadism, see T.J. Saxby, *The Quest for the New Jerusalem, Jean de Labadie and the Labadists, 1610–1744* (Dordrecht: Martinus Nijhoff, 1987); D. Vidal, *Jean de Labadie (1610–1674): Passion mystique et esprit de Réforme* (Grenoble: Jérôme Millon, 2009).

¹⁷ *CRS* 2:14. À Brakel understands the purity of doctrine as the first distinguishing mark of the church, see *CRS* 2:29–34. He describes the holiness of the members of the church as its second mark. He also refers to the proper administration of the sacraments and to the use of the keys to God's kingdom, see *CRS* 2:34–37.

The first observation is that À Brakel, in accordance with Bullinger (1504–1575),¹⁸ stresses that the covenant of grace is the central and determinative focus of his work. This resembles Bullinger, according to whom “the entire sum of piety consists in these very brief main parts of the covenant.”¹⁹

The concept of the covenant of works was already criticized by Cocceius²⁰ and, in the last century, by John Murray.²¹ This observation raises the question: how is the covenant of grace related to the covenant of works?²² À Brakel begins the chapter about the covenant of works by making this remark:

Acquaintance with this covenant is of the greatest importance, for whoever errs here or denies the existence of the covenant of works, will not understand the covenant of grace, and will readily err concerning the mediatorship of the Lord Jesus. Such a person will readily deny that Christ by His active obedience has merited a right to eternal life for the elect ... Whoever denies the covenant of works, must rightly be suspected to be in error concerning the covenant of grace as well.²³

We do not do justice to À Brakel if we understand the covenant of works in a legalistic sense as though God and Adam were in a contract with each other.²⁴

18 H. Bullinger underlined one covenant in diverse administrations. *De Testamento sev foedere Dei unico & aeterno Heinrychi Bullingeri brevis expositio* (Tigveri: in Aedibvs Christoph Frosch, 1534). For an English translation, see Charles S. McCoy and J. Wayne Baker, *Fountainhead of Federalism: Heinrich Bullinger and the Covenant Tradition* (Louisville, Kentucky: Westminster John Knox, 1991), 101–38. The oneness of the church also justifies speaking about one covenant, 120.

19 For Bullinger, see Ch. S. McCoy and J.W. Baker, *Fountainhead of Federalism*, 112.

20 Cocceius defended the gradual abolition of this covenant, *Summa doctrinae de foedere et testamento Dei* (Leiden: Elseviriorum, 1654). Cf. W.J. van Asselt, *The Federal Theology of Johannes Cocceius* (Leiden: Brill, 2001).

21 John Murray understood the gracious structure of the Noahic covenant as characteristic of the ‘Adamic administration’ and he used the word ‘covenant’ to refer to God’s redemptive – historical acts. See A.T.B. McGowan, *Adam, Christ and Covenant: Exploring Headship Theology* (London: Intervarsity, 2016), 46–61.

22 See R.A. Muller, “The Covenant of Works and the Stability of Divine Law in seventeenth – century Reformed Orthodoxy: A Study in the Theology of Herman Witsius and Wilhelmus à Brakel,” *Calvin Theological Journal* 29 (1994): 75–101.

23 CRS 1:355.

24 J.B. Torrance understood the covenant of works in a legalistic sense and as a declension from the theology of the Reformers. “Strengths and Weaknesses of the Westminster Theology,” in *The Westminster Confession in the Church*, ed. A.I.C. Heron (Edinburgh: St. Andrew, 1982), 40–53; “Covenant or Contract? A Study of the Theological Background or Worship in Seventeenth-Century Scotland,” *Scottish Journal of Theology* 23 (1970): 51–76; “Calvin and Puritanism in England and Scotland: Some Basic Concepts in the

Also in À Brakel's interpretation of the covenant of works God's relationship with Adam was no less a relationship of favor, in which grace had priority over law, and the promise over the condition,²⁵ while God's law was an expression of God's righteousness and goodness.²⁶ This interpretation implies that the covenant of works is not abolished, but that Christ is the representative of the covenant of grace who fulfills the claims of the covenant of works on behalf of sinners. So, the covenant of works is the great presupposition to understanding the covenant of grace and Christ as the 'Surety' of this covenant.²⁷

Interpreting Christ from the perspective of the covenant, as is also apparent from the book's Table of Contents, is representative of the whole of À Brakel's theology. Looking further at the structure of the three books that form this work, we recognize the central perspective of the covenant in the diverse parts of the title; namely the expounding and defending of divine truths concerning the covenant of grace, the practicing of these truths, and the administration of the covenant of grace in the Old and New Testaments.

In the first book of *The Christian's Reasonable Service* À Brakel explains the truths about God being one party of the covenant.²⁸ This book treats well-known themes such as the doctrine of God, scripture, anthropology, sin, Christology, church, sacraments and the order of salvation.

À Brakel does not understand these themes as abstract and static truths, but as the truths of the living God who relates himself to us in the way of the covenant of grace. Christ is called the Surety of the covenant, ecclesiology is characterized by the partakers of the covenant, the order of salvation in Pneumatology is referred to as the way in which the Lord translates believers into the covenant and leads them to the culmination of glory, while the sacraments are interpreted as the seals of the covenant.²⁹

In the second book of *The Christian's Reasonable Service* we see the other party in the covenant, namely the believer. The pastor of Rotterdam speaks about practice in the covenant, indicating that theology is not speculative, for the head, but for the practice of spirituality and devotion from the heart. We

Development of 'Federal Theology,'" in *Calvinus Reformator: His Contribution to Theology, Church and Society* (Potchefstroom: Potchefstroom University for Christian Higher Education, 1982), 264–77.

25 Cf. with R.A. Muller, "The Covenant of Works," 99–100; E.F. Kevin, *The Grace of Law: A Study in Puritan Theology* (Ligonier: Soli Deo Gloria Publications, 1993), 112–33.

26 Cf. R.A. Muller, "The Covenant of Works," 93.

27 CRS 1:467–68, 472–75.

28 The analytical structure used by William Ames' (1576–1633) can be identified in À Brakel. Cf. G. Amesius, *Medulla Theologica* (Amsterdam: J. Janssonium, 1634), trans. John D. Eusden as *The Marrow of Theology* (Grand Rapids: Baker, 1997).

29 CRS 1:446, 465; cf. CRS 2:3, 191.

hear the Ramist background in this approach, in which theology is intended for living to the glory of God. In this book À Brakel explains the law of God and exhorts readers to walk in the fear of the Lord. He also elaborates on the Lord's Prayer, Christian virtues, spiritual affections, and on the conditions and healthiness of the soul.

In the third book we perceive a redemptive-historical approach. À Brakel treats the history of the church of the Old Testament from Adam to Abraham, from Abraham to Moses, from Moses to Christ and from Christ to the end of the world. To explain the last period 'father' Brakel comments on the book of John's Revelation.

Understanding Wilhelmus à Brakel's covenant-structure for a practical theology clarifies that he designated ecclesiology as the doctrine of the partakers of the covenant. The important implication of this interpretation is that the church cannot be reduced to just an instrument, since the church is the expression of the covenant: 'As the covenant is, so is the church.'³⁰

The structure of the book explains that the church as the expression of the covenant cannot be spiritualized. Where chapter 24 treats the church, the next chapter clarifies that believers have 'The Duty to Join the Church and to Remain with Her.'³¹ Chapters 27–29 treat the government of the church, the offices in the church and the power of the church. It is clear, therefore, that these themes refer to the visible church.

À Brakel's rejects separating the visible and invisible church as if there were two churches with different members.³² In times of decay the church is less visible than it is in times of reformation and revival,³³ but still there is a unity between the hidden faith, love and hope in the soul on the one hand and the public meetings of the church, the confession of the church and the use of the sacraments, on the other.

In this way, À Brakel clarifies his belief that the visible church exemplifies the dynamics of God's covenant. Although he unites the visible and the

³⁰ Cf. *CRS* 2:11.

³¹ The title of chapter 25; see *CRS* 2:55.

³² *CRS* 2:5–8. For a contemporary expression of this approach, see M. Horton, *The Christian Faith: A Systematic Theology for Pilgrims on the Way* (Grand Rapids: Zondervan, 2011), 852–53.

³³ *CRS* 2:41–42. Cf. C. Graafland, "De kerk in de Nadere Reformatie: Wilhelmus à Brakel (1635–1711)," in *De kerk: Wezen, weg en werk van de kerk naar reformatorische opvatting*, ed. W. van 't Spijker (Kampen: De Groot Goudriaan, 1990), 172.

invisible church, the church functions not only as a gathering of believers, but also as a mother of believers.³⁴

4 In the Heart of the Covenant

À Brakel was not only sensitive to the spiritual dimension of the covenant but he believed that this dimension was also essential for life in the covenant. In the midst of the chapters on Ecclesiology, chapter 26 focuses on this inner individual(istic) covenant-life.³⁵

This spiritual covenant-life can be experienced more than it can be expressed in words.³⁶ It consists of having a mystical union and relationship with Jesus Christ as a person.³⁷ While hypocrites are only interested in Christ's goods, real believers have an existential life-union with Christ.³⁸ They practice an intimate and contemplative relationship with Jesus: 'The heart of the believer goes out in love to Jesus, viewing Him as his own and as being his Bridegroom.'³⁹

34 CRS 2:100. Samuel Rutherford separated the invisible church from the visible church. *The Due Right of Presbyteries; or, A Peaceable Plea for the Government of the Church of Scotland* (London: Richard Whittaker and Andrew Cook, 1644), 244–88. See also J. Coffey, *Politics, Religion and the British Revolutions: The Mind of Samuel Rutherford* (Cambridge: Cambridge University Press, 1997), 167–68, 205–6. À Brakel holds to a pure church in the midst of a broad national church; C. Graafland, *Van Calvijn tot Comrie: Oorsprong en ontwikkeling van de leer van het verbond in het Gereformeerd Protestantisme*. 3 vols. (Zoetermeer: Boekencentrum, 1992–1996), 3:345–47.

35 By 'individual' I mean the classic personal aspect, while 'individualistic' refers to the concept of modernity in which the relationship with the corporate whole disappears. In À Brakel we find tendencies of modernity, compare also the sentence related to footnote 50.

36 CRS 2:89.

37 CRS 2:91. Cf. CRS 2:323–29; 3:20. See CRS 2:323: "They receive Jesus by faith rather than indulging themselves in speculating about doctrinal issues and saving benefits. They go to the fountain itself and are engaged in transactions with God and Christ Himself." This approach differs from Melancthon who explained knowing Christ as knowing his benefits., See W. van Vlastuin, "The Promise of *unio mystica*. An Inquiry into the Functioning of a Spiritual-Theological Concept in the Heidelberg Catechism," in *Spirituality of the Heidelberg Catechism*, ed. A. Huijgen and E.A. de Boer (Göttingen: Vandenhoeck & Ruprecht, 2015), 173–74 and 183.

38 CRS 2:91–2, 333–34.

39 CRS 2:94–6, 325. Cf. A. de Reuver, *Sweet Communion*, 238. The language of Song of Songs, together with the Psalms is the most suitable for expressing spiritual experience; see CRS 2:324. T. Schwanda mentions the special place of Song of Songs in puritan piety. "Sweetness in Communion with God": The Contemplative-Mystical Piety of Thomas Watson," in *Journal for the History of Reformed Pietism* 1.2 (2015): 39, 58, 60.

À Brakel employs a rich devotional language to describe this relationship, which satisfies the deepest longings of the human heart and includes joy, peace, communion, love, experience, et cetera. The Table of Contents in the first book mentions joy as an aspect of the order of salvation on the same level as justification, adoption and sanctification, implying that the essence of salvation can be described as joy,⁴⁰ and making À Brakel a ‘theologian of joy.’

À Brakel interprets this mystical communion with Jesus Christ as being the heart of the covenant-life, because he understands the covenant as the covenant of marriage.⁴¹ As in a marriage, in the dipleuric covenant, the acquiescence of the believer is essential to being in the marriage with Christ as a Bridegroom.⁴²

God offers this covenant to sinners in the preaching of “The gospel, which is the offer of this covenant.”⁴³ The heavenly Bridegroom attracts the sinner “by way of offering numerous advantageous conditions.” This draws the sinner in to consent to this covenant, so that he accepts Jesus and his benefits consciously, presents these to God, and pleads for salvation.⁴⁴ So he gets “the right – granted to the partaker of the covenant by virtue of being in covenant with God – to request, in faith and through prayer, those benefits which God has promised and upon which he now has a claim.”⁴⁵

Interpreting the covenant-character of the relationship with Christ yields clarity, steadfastness, comfort, and consistent growth for Christians.⁴⁶ The opposite is also true; without the understanding of the covenant and its offer, believers seldom receive “assurance about their state.”⁴⁷

Being a partner in God’s covenant therefore implies having a great responsibility.⁴⁸ Together with the human will as the decisive faculty of the

40 CRS 2:601. Cf. 3:263, 266, 286–87; 4:29. P.M. Smalley found 2,416 references to joy in À Brakel. “Satisfied with the Lord’s All-Sufficiency,” (Grand Rapids, Master’s thesis at Puritan Reformed Theological Seminary 2010), 2. Jeremiah Burroughs calls the satisfaction of the heart “the life and soul of all practical Divinity.” *The Rare Jewel of Christian Contentment* (London: W. Bentley 1651), 1, 79. Edward Leigh also unites the happiness in God and the happiness in believers. *A Treatise of Divinity: Consisting of Three Books* (London: William Lee, 1646) 2:123–25.

41 CRS 1:499, 616; 2:19, 24, 107, 475, 480, 488, 539, 573–74, 591, 598.

42 CRS 1:442.

43 CRS 1:462. F.J. Los underlines the emphasis on the free offer of the gospel in À Brakel. *Wilhelmus à Brakel*, 153.

44 CRS 3:451–52. À Brakel writes about praying in the context of the covenant.

45 Cf. CRS 3:475.

46 CRS 1:429–30. Cf. F.J. Los, *Wilhelmus à Brakel*, 115.

47 CRS 2:613–14.

48 This also appears from the Westminster Confession. See W. van Vlastuin, “Personal Renewal between Heidelberg and Westminster,” *Journal of Reformed Theology* 5 (2011):

human soul,⁴⁹ we do not only find a heavily appealing theology in À Brakel, but we can also recognize a shift towards the human subject of modernity.⁵⁰

Another implication of À Brakel's concept is that only real believers can be members of the covenant. Although À Brakel accepted the doctrine of the covenant of redemption, in his interpretation of the covenant of grace only believers were included.⁵¹ He makes this explicit by rejecting an external covenant.⁵² He also even denies the covenant to the unconverted people of Israel in the Old Testament, because only real believers can be a party to it.⁵³

But how did this work in regard to children and their baptism? Did À Brakel conclude that children were outside the covenant and that the covenant could not be broken by its members? On the one hand À Brakel states that baptism only seals the elect,⁵⁴ on the other hand it is true that "children are partakers of the benefits of the covenant, the merits of Christ, the promises, and salvation itself."⁵⁵ Because children are in the covenant and partakers of Christ, they have to be considered saved.⁵⁶ If a baptized person lives an ungodly life, he is an 'apostate,'⁵⁷ which implies that he still really belonged to the covenant. This investigation clarifies the tension in À Brakel's approach, because the covenant also precedes the conscious consent of the covenant.

It can be concluded that À Brakel unites the redemptive-historic understanding of the covenant with the most intimate individual(istic) mystical relationship with Jesus as the heart of covenant-life, which causes a tension between the external aspect of the covenant and the internal life in the covenant.

49–67, especially 59–61, 63–64. In the third volume of *CRS* there are 231 references to 'means,' 130 references to 'exercise,' 22 references to 'zealous,' and 52 to 'earnest.'

49 *CRS* 4:68.

50 *CRS* 4:199. À Brakel also deals with the doubts of Descartes. For the shift towards the human subject, see Ch. Taylor, *A Secular Age* (Cambridge: Harvard University Press, 2007), and B. Gregory, *The Unintended Reformation: How a Religious Revolution Secularized Society* (Cambridge: Harvard University Press, 2012).

51 H. Blocher wrote: "W. Brakel cut the Gordian knot and 'virtually' excluded all the non-elect, but he was the exception." "Old Covenant, New Covenant," in *Always Reforming: Explorations in Systematic Theology*, ed. A.T.B. McGowan (Leicester: Apollos, 2006), 249.

52 *CRS* 1:457–63. À Brakel's contemporaries Koelman and Van Mastricht accepted an external covenant. C. Graafland, *Van Calvijn tot Comrie*, 3:344.

53 *CRS* 1:462.

54 *CRS* 2:507.

55 *CRS* 2:509. Cf. p. 523: "The baptized children who are now members of the Lord Jesus, the congregation, and partakers of that same covenant."

56 *CRS* 2:506–7.

57 *CRS* 2:520.

5 Evaluation

How are we to evaluate À Brakel's interpretation of the covenant of grace? In the first place his approach to using the covenant as an all-embracing framework for theology offers the opportunity to do justice to the dynamics of God's revelation and God's relationship with human beings. The weakness of this approach, however, is the weakness of the analytical approach in distinction to the synthetic approach in which can be done justice to all theological topics.

Next it can be stated that À Brakel's revaluation of ecclesiology and his retrieval of the early church was a correction of the Reformed tradition, a tradition in which the church is usually thought of from the point of view of the individual believer, which means that fragmentation and instrumentalization of the church are general phenomena. À Brakel's proposal revalues the church as the body of Christ, which makes the application of the benefits in Christ by the Spirit a relevant reality. Furthermore, this approach can be an antidote against the hyper individualism of postmodernity.

Putting ecclesiology at the heart of the covenant makes a relevant distinction between creation and re-creation, because it clarifies the fact that the church as the body of Christ is the first fruits of eternal life. Without denying the re-creation of the earth, a duality (not a dualism) between church and world underlines the privilege of being a member of the church.

The fact that À Brakel reduced the essence of the covenant to believers seems a weakness in his analysis as it is in tension with his corporate understanding of the covenant, and it implies that the public relevance of covenant and church is in danger of disappearing. Although À Brakel puts the visible church right at the center of covenant-life, by understanding the inner acceptance of the covenant as the essence of the covenant, the public covenant and church lose their meaning. Unfortunately and paradoxically, this effect of individualizing and spiritualizing the covenant is the opposite of À Brakel's intention. Fortunately, À Brakel does not apply this approach consistently, because the public dimension of covenant and church are practically decisive in his interpretation of the covenant. So, À Brakel reminds us to think from public covenant and church to the inner application of its realities.

This tension in À Brakel's approach is also related to the relationship between a conditional and an unconditional covenant. À Brakel understands the covenant in an unconditional sense. Therefore, there are no promises for the unconverted. However, recent developments in biblical research have shown that the covenant in the biblical sense always has a conditional side. This insight underlines the idea that God's covenant is much more dynamic

than À Brakel suggests. À Brakel is right in his accent on grace in salvation, but that cannot mean that the believer is not fully engaged and responsible in the life of the covenant. Implicitly, this is present in À Brakel, but the explication of this dynamics would enrich his concept. Also, thinking from the covenant that *extra nos* precedes our faith and conversion would illuminate the conditional dynamics of covenant life.

Meanwhile, from À Brakel's approach, we can learn to understand the covenant as the marriage-covenant, a concept which removes any impression of the covenant being only a theoretical and abstract construct without any relevance. Understanding the covenant as marriage accents the privilege of belonging to the covenant and, in reverse, underlines the dynamics and the responsibility of being in the covenant.

A qualification of the marriage-metaphor is necessary. While in human marriage the consent of the two parties is equal, in Christ's marriage human beings are put in the covenant of marriage without their explicit granting of the covenant of marriage as a precondition, as can be seen in the people of Israel in the Old Testament and which has been an important theological justification for the inclusion of children. Although the marriage-metaphor underlines rightly the dipleuric aspect of the covenant, the monopleuric aspect cannot be denied.

By extension, the interpretation of the covenant-relationship with Jesus as a marriage makes mystical language and experience understandable. The intimacy with Jesus as a person and the affectionate satisfaction of the longings of the heart join and fulfill the postmodern longing for authentic personal relationships and for real satisfaction of the heart. The covenant is not abstract theoretical theology, but warm existential reality, as Augustus Toplady sang:

A debtor to mercy alone,
Of covenant mercy I sing
Nor fear, with thy righteousness on,
My person and offering to bring.⁵⁸

58 <https://www.hymnal.net/en/hymn/h/292> (accessed April 9, 2020). Ph. Doddridge sang: "My God! The covenant of thy love/Abides for ever sure;/And in its matchless grace I feel/My happiness secure." A hundred years later, Frances Ridley Havergal uttered his feelings concerning the covenant in this way: "Jehovah's covenant shall endure/All ordered, everlasting, sure!/O child of God, rejoice to trace/Thy portion in its glorious grace."

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PART 3

Systematic-Theological Perspectives



Covenant Theology as Trinitarian Theology

A Discussion of the Contributions of Michael S. Horton, Scott W. Hahn, and N.T. Wright

Arnold Huijgen

1 Introduction

The research group behind the present congress volume on the covenant, *Biblical Exegesis and Systematic Theology* (BEST), invests much energy in reflection on the interface between the two disciplines of biblical exegesis and systematic theology. In earlier times, exegesis liberated itself from dogmatic shackles and developed distinct methods in a specific domain. In recent decades, however, the perceived distance between exegesis and systematic theology has diminished, exemplified by canonical approaches and theological interpretations of scripture.¹ For BEST, the obvious presupposition is that exegesis and systematic theology can be on speaking terms, or at least within hearing distance, and that exegetes can learn from the work of systematic theologians as well as the other way around.

Particularly in the field of covenant theology, the focus on the interface between exegesis and systematic theology is helpful, since ‘covenant’ is both a typically biblical notion, and a characteristic theologoumenon for the Protestant tradition, and it is useful to make a connection between these two aspects and approaches. This does not mean that covenant theology can, or should, be merely based on exegetical considerations without taking context into account. From the outset of covenant theology in Switzerland, contextual factors have stamped the theologoumenon. The very coinage of the Reformed idea of ‘covenant’ cannot be isolated from Swiss theologians’ familiarity with the Swiss federation or *Eidgenossenschaft*, in which covenant or *Bund* was a central idea, and which provided a heuristic framework for God’s covenant

1 The term ‘canonical approach’ characterizes the work of Brevard S. Childs. See his *Introduction to the Old Testament as Scripture* (Minneapolis: Fortress, 1979) and *Biblical Theology of the Old and New Testaments* (Minneapolis: Fortress: 1992). ‘Theological Interpretation of Scripture’ is a many-faceted, diverse movement; see e.g. Mark Alan Bowald, “The Character of Theological Interpretation of Scripture,” *International Journal of Systematic Theology* 12 (2010): 162–83.

with humans.² Other instances of contextually driven discussions of the covenant include the debate between Voetius and Coccejus,³ and Karl Barth's dialectic statements that the covenant is the inner basis of creation and creation is the external basis of the covenant.⁴ For the present time, the *rapprochement* between biblical studies and systematic theology is an additional reason to recalibrate covenant theology in the light of the present state of biblical studies on the covenant.

The present essay focuses on three contributions from biblical perspectives concerning covenant theology, in Anglo-Saxon contexts, namely by the Reformed Michael S. Horton, the Roman-Catholic (formerly Calvinist) Scott W. Hahn, and the Anglican N.T. Wright. These contributions are discussed with three alleged weak points of traditional Reformed accounts of covenant theology in mind. These weak points are in fact criticisms of Reformed covenant theology that arise from a distinctly trinitarian theological approach. Before highlighting the three criticisms, it is useful to sketch the trinitarian theological approach that forms their background.

In the so-called renaissance of trinitarian theology, the Western theological tradition has been accused of erasing the distinction between the Persons of the Godhead, thus making the Trinity an abstract and impractical doctrine.⁵ A major objection against much of traditional theology is that it designed most theological loci without taking God's triune being into account. In the doctrine of God, for instance, God's unity was discussed before his triunity, as if God could be known without knowledge of his triune existence. Meanwhile, this trinitarian renaissance is also a call to a more concrete, biblical, historical account of the Trinity, by emphasizing the economic Trinity, and identifying

2 See Fritz Büsser, *Heinrich Bullinger (1504–1574): Leben, Werk und Wirkung*, vol. 1 (Zürich: Theologischer Verlag, 2004), 1:232; J. Wayne Baker, *Heinrich Bullinger and the Covenant: The Other Reformed Tradition* (Athens: Ohio University Press, 1980), 102–6.

3 See W.J. van Asselt, ed., *Een richtingensrijd in de Gereformeerde Kerk: Voetianen en Coccejanen, 1650–1750* [A struggle in the Reformed Church: Voetians and Coccejans 1650–1750] (Zoetermeer: Boekencentrum, 1994); Brian J. Lee, *Johannes Coccejus and the Roots of Federal Theology: Reformation Developments in the Interpretation of Hebrews 7–10* (Göttingen: Vandenhoeck & Ruprecht, 2009).

4 Karl Barth, *Church Dogmatics*, trans. and ed. by G.W. Bromiley and T.F. Torrance (Edinburgh: T&T Clark, 1967–1977), 3.1:94, 228.

5 See Christoph Schwöbel, "The Renaissance of Trinitarian Theology: Reasons, Problems and Tasks," in *Trinitarian Theology Today*, ed. Christoph Schwöbel (Edinburgh: T&T Clark, 1995), 1–30; Veli-Matti Kärkkäinen, "The Trajectories of the Contemporary 'Trinitarian Renaissance' in Different Contexts," *Journal of Reformed Theology* 3 (2009): 7–21.

the economic and the immanent Trinity.⁶ While the so-called renaissance of trinitarian theology is somewhat on the wane, and some of its critiques of earlier Western theologies, particularly that of Augustine, have proven overstated,⁷ the emphases on relational ontology, the economic Trinity, and the practical relevance of the doctrine of the Trinity remain worthwhile.⁸

A first seemingly weak point in Reformed covenant theology, from the perspective of the renaissance of trinitarian theology, is that it insufficiently connects Trinity and history, particularly the history of redemption. Rather, in abstraction from salvation history, the Trinity is related to an eternal, that is: extra-temporal, covenant: the so-called *pactum salutis*, or covenant of redemption.⁹ In this *pactum*, it is decided that humans will be saved, how they will be saved and who will be saved.¹⁰ The issue how people will be saved is answered by the willingness of the Son to take upon himself the burden of becoming human in order to save humans, of being the mediator. The issue who shall be saved concerns election, and reprobation. So, there is a divine counsel, or covenant of the three divine persons: a trinitarian covenant. Three aspects are problematic from a trinitarian point of view, however. First, the *pactum* per definition has its place outside of time, in God's eternity. Although it drives the economy of salvation, including the covenant of grace, this trinitarian covenant is kept apart from history. Second, the covenant of redemption is a speculative idea that has insufficient biblical warrant. Traditional Reformed theologians refer to Zechariah 6: 13, Psalms 2: 7 and 110, which together only account for a small portion of the idea of the *pactum salutis*, and particularly

6 This is often summarized in "Rahner's Rule" that the immanent Trinity is the economic Trinity and vice-versa; Karl Rahner, "Der dreifaltige Gott als transzendenter Urgrund der Heilsgeschichte," in *Mysterium Salutis II*, ed. Johannes Feiner and Magnus Löhrer (Einsiedeln: Benziger, 1967), 337.

7 The critique of Augustine by Colin E. Gunton, "Augustine, the Trinity and the Theological Crisis of the West," in *The Promise of Trinitarian Theology* (Edinburgh: T&T Clark, 1997), 30–55 has been widely critized itself; e.g. Richard Cross, "Quid Tres? On What Precisely Augustine Professes Not to Understand in *De Trinitate* 5 and 7," *Harvard Theological Review* 100 (2007): 215–32; Bradley Green, *Colin Gunton and The Failure of Augustine: The Theology of Colin Gunton in Light of Augustine* (Cambridge: James Clark, 2012).

8 This is not *communis opinio*, however. Gijsbert van den Brink gives an overview of the debate. "Social Trinitarianism: A Discussion of Some Recent Theological Criticisms," *International Journal of Systematic Theology* 16 (2014): 331–50.

9 Relatively little has been published on the *pactum salutis*. John V. Fesko, *The Trinity and the Covenant of Redemption* (Fearn: Mentor, 2016) offers a limited systematic overview, while John V. Fesko, *The Covenant of Redemption: Origins, Development, and Reception* (Göttingen: Vandenhoeck & Ruprecht, 2016) provides a historical overview.

10 See the references to Reformed scholastics in Heinrich Heppe, *Die Dogmatik der evangelisch-reformierten Kirche* (Neukirchen: Neukirchener Verlag, 1958), 296–98; 305–8.

the exegesis of Zechariah 6: 13 is weak.¹¹ Third, the *pactum* is not a covenant in the proper sense because the relation between the three persons of the godhead is a necessary one. If the *pactum* brought the three together while they were apart before, this would imply tritheism. The difference between the *pactum* and other covenants is expressed by the use of a different Latin term: *pactum* instead of *foedus*. So it seems that the covenant is either trinitarian and extra-temporal (the *pactum salutis*), or temporal but insufficiently trinitarian (the covenant of grace)—at least, that is the question. For present purposes there is no need to discuss the legitimacy of the idea of *pactum salutis*, but a possible weak point of Reformed covenant theology has been identified: the connection between covenant, Trinity, and history.¹² This will be used as a criterion in the discussion of the three theologies of the covenant below.

A second impetus to recalibrate covenant theology comes from the possible problems between covenant and eschatology in Reformed theology. The Dutch Reformed theologian Bram van de Beek, for instance, has criticized the Reformed tradition for binding baptism and covenant together, which he regards as unbiblical, while disconnecting baptism from eschatology, which is also unbiblical. Thus, baptism became part of a bourgeois theology which lost the eschatological tension that is essential to the New Testament kerygma and turned baptism into a formal membership of a national church.¹³ Van de Beek emphasizes the fact that baptism means that one partakes in the eschatological reality of the Kingdom, and that the covenant, expressed in the Lord's Supper, also has eschatological significance.¹⁴ Although Van de Beek's eschatology has been criticized for absorbing the *interim* between the first and second coming of Christ,¹⁵ he rightly notes the eschatological challenge for covenant theol-

11 E.g., Herman Bavinck, *Reformed Dogmatics*, vol. 3, *Sin, Salvation in Christ*, ed. John Bolt (Grand Rapids: Baker, 2006), 213.

12 It should be noted that there are theologians in the Reformed tradition that emphatically intend to do covenant theology from a trinitarian perspective. For instance, Herman Bavinck's emphasis on the cross of Christ as the center of the history of the covenant can be interpreted as an attempt toward a fully trinitarian theology of the covenant; Bavinck, *Reformed Dogmatics*, 222–23.

13 A. van de Beek, *God doet recht: Eschatologie als christologie* [God does justice: Eschatology as Christology] (Zoetermeer: Meinema, 2008), 175–78.

14 Van de Beek, *God doet recht*, 178, 327, 333–34, 349–50.

15 This critique is that Van de Beek's idea of the single *kairos* of the Christ-event leaves no room for Christian life in the time before the final eschatological consummation. For such a critique, see Gerard C. den Hertog, "Ascetism Only, or Ethics as Well? Oepke Noordmans' View of Eschatological Ascetism and Ethics as a Challenge for Bram van de Beek," in *Strangers and Pilgrims on Earth: Essays in Honour of Abraham van de Beek*, ed. Eddy van der Borgh and Paul van Geest, SRTh 22 (Leiden: Brill, 2011), 381–95.

ogy. Additionally, from the perspectives of trinitarian theology and of biblical theology, this is a very relevant point: the renaissance of trinitarian theology went hand in hand with a renewal of eschatological theology. Whereas at the beginning of the twentieth century, Ernst Troeltsch could still write that the eschatological office was mostly closed, Hans Urs von Balthasar replied in 1957 that this office was working overtime.¹⁶ This was largely due to the same movements that sparked trinitarian theology, most notably Karl Barth's theology. Where the demand for a thoroughly trinitarian understanding of theology was heard, its corollary was an eschatological understanding. Both the Trinity and eschatology shape the way reality is understood theologically. So, the second point of attention in the following discussion is the eschatological character of covenant theology.

Third, it is important that a theological account of the covenant gives Israel its proper place. Without this, a doctrine of the covenant removes itself from the concreteness of the Old Testament. For the earliest Reformed theologians, most notably Calvin, it was important to esteem the Old Testament in its concrete and Israelite nature.¹⁷ The axis of John Calvin's covenant theology, for instance, is the unity of the covenant: the Old and New Testament are basically one because of the single mediator Jesus Christ.¹⁸ Reformed theologians have not always upheld the importance of Israel, although it did play a role in chiliastic, apocalyptic images and imaginations in seventeenth and eighteenth century Reformed circles.¹⁹ But in light of the biblical data, any theology of the

16 Ernst Troeltsch, *Glaubenslehre: Nach Heidelberger Vorlesungen aus den Jahren 1911 und 1912* (München: Ducker & Humblot, 1925), 36; Hans Urs von Balthasar, "Eschatologie," in *Fragen der Theologie heute*, ed. Johannes Feiner, Josef Trütsch, and Franz Böckle (Zürich: Benziger, 1957), 403.

17 This is particularly so in the Dutch Reformed tradition. See e.g., K.H. Miskotte, *Als de goden zwijgen: Over de zin van het Oude Testament* [When the gods are silent: On the meaning of the Old Testament] (Amsterdam: Holland, 1956); A.A. van Ruler, *Die christliche Kirche und das Alte Testament* (München: Kaiser, 1955).

18 John Calvin, *Institutionis Christianae religionis 1559 libros I et II continens*, vol. 3 of *Joannis Calvini Opera Selecta*, ed. Petrus Barth and Guilelmus Niesel (München: Kaiser, 1928), 2.10. Cf. Hans Heinrich Wolf, *Die Einheit des Bundes: Das Verhältnis von Altem und Neuem Testament bei Calvin* (Neukirchen: Neukirchener Verlag, 1958).

19 See W.J. Op 't Hof, *De visie op de joden in de Nadere Reformatie, tijdens het eerste kwart van de zeventiende eeuw* [The Dutch Second Reformation's view on Jews, in the first quarter of the seventeenth century] (Amsterdam: Bolland, 1984); C.J. Meeuse, *De toekomstverwachting van de Nadere Reformatie in het licht van haar tijd: Een onderzoek naar de verhouding tussen het zeventiende-eeuwse chiliasme en de toekomstverwachting van de Nadere Reformatie, met name bij Jacobus Koelman* [The expectations for the future of the Dutch Second Reformation in the light of its time: An investigation of the relationship between seventeenth-century chiliasm and the expectations for the future of the Dutch

covenant should reckon with Israel; the presence and place of Israel thus is a litmus test for the biblical character of any doctrine of the covenant.²⁰

In the present contribution, these three points (trinitarian economy, eschatology, Israel) are used as touch-points with the respective theologies of Michael S. Horton, Scott W. Hahn, and N.T. Wright, to assess their respective strengths and weaknesses, and vice versa: to learn from these theologians how a doctrine of the covenant can be corrected, and improved, by fresh biblical insights. The intention of the present essay is to integrate biblical-theological insights into the doctrine of the covenant, particularly when these insights can serve to state the trinitarian nature of the doctrine of the covenant. The hypothesis of the present essay is that a reorientation of covenant theology to the scriptures of the Old and New Testaments will help to strengthen the trinitarian nature of this doctrine.

Before moving forward to the discussion of the three contributions, it is useful to provide a working definition of both ‘covenant’ and ‘trinitarian.’²¹ A covenant is a formal regulation of the relation between God and His people, and to call a theologoumenon ‘trinitarian’ means that the reality of God’s triunity, His being Father, Son and Holy Spirit, decisively stamps its content and character.

2 Michael S. Horton

Michael S. Horton, Professor of theology and apologetics at Westminster Seminary California, is a prolific author, particularly on the covenant. He published a four-volume series of monographs “exploring the potential of covenant theology for a renewal of theology that is conscious of its biblical-theological

Second Reformation, especially in Jacobus Koelman] (Kampen: De Groot Goudriaan, 1990); R.J. van Elderen, *Toekomst voor Israël: Een theologie-historisch onderzoek naar de visie op de bekering der Joden en de toekomst van Israël bij Engelse protestanten in de periode 1547–1620, tegen de achtergrond van hun eschatologie* [Future for Israel: A theological-historical investigation into the view on the conversion of Jews and the future of Israel held by English Protestants from 1547 till 1620, against the background of their eschatology] (Kampen: Mondiss, 1992).

20 In Reformed circles, Hendrikus Berkhof, *Christelijk geloof: Een inleiding tot de geloof-sleer* [The Christian Faith: An introduction to the study of the faith], 2nd ed. (Nijkerk: Callenbach, 1973), 234–80 was the first to devote a chapter to Israel (and the covenant) in Christian dogmatics. The recent volume Cornelis van der Kooi and Gijsbert van den Brink, *Christian Dogmatics: An Introduction* (Grand Rapids, Eerdmans, 2017), chap. 9 only discusses the covenant within the context of Israel.

21 See Gert Kwakkel’s contribution to the present volume for a discussion of the Biblical notion of covenant.

context and horizon.”²² For Horton, the covenantal structure of reality serves as “a hermeneutical guide” in systematic theology.²³ Systematic theology itself, according to Horton, should resort to scripture as guide: “At its best, systematic theology never imposes a system on Scripture but seeks instead to draw out the main teaching of Scripture from Scripture itself.”²⁴ Horton claims to seek a biblical and a trinitarian understanding of covenant theology. The question is whether he succeeds and where this leads him.

Building on the earlier research of biblical scholars George E. Mendenhall and Meredith G. Kline, Horton makes a sharp distinction between two sorts of covenants, and thus two series of covenants within the Old and New Testament.²⁵ The first type of covenant bears the traits of a traditional suzerainty pact, in which a greater party (suzerain) obligates the vassal “to serve faithfully and in which blessings or curses are held out as recompense.”²⁶ This kind of treaty includes the structure of a preamble, historical prologue, stipulations, sanctions, and deposit of the treaty. Horton identifies this type in the Sinai covenant, which presents a large number of laws as conditions Israel needs to meet in order to stay in the covenant relationship with Yahweh. The Sinaitic pact is not the first covenant of this type, however. Horton and others interpret the Sinai covenant as a “republication” of the covenant of works, the covenant between God and Adam, made before the Fall.²⁷ It is noteworthy that

22 Michael S. Horton, *People and Place: A Covenant Ecclesiology* (Louisville: Westminster John Knox, 2008), ix. The other three volumes are: *Covenant and Eschatology: The Divine Drama* (Louisville: Westminster John Knox, 2002); *Lord and Servant: A Covenant Christology* (Louisville: Westminster John Knox, 2005); *Covenant and Salvation: Union with Christ* (Louisville: Westminster John Knox, 2007).

23 Horton, *Lord and Servant*, 2005, vii.

24 Michael S. Horton, *God of Promise: Introducing Covenant Theology* (Grand Rapids: Baker, 2006), 77.

25 George E. Mendenhall, *Law and Covenant in Israel and the Ancient Near East* (Pittsburgh: The Biblical Colloquium, 1955); Meredith G. Kline, *Treaty of the Great King: The Covenant Structure of Deuteronomy: Studies and Commentary* (Grand Rapids: Eerdmans, 1963); Meredith G. Kline, *By Oath Consigned: A Reinterpretation of the Covenant Signs of Circumcision and Baptism* (Grand Rapids: Eerdmans, 1968). Cf. Koert van Bekkum's contribution to the present volume.

26 Horton, *God of Promise*, 74.

27 There has been much debate whether this notion of “republication” is correct or not. For a defence of the doctrine of republication, and of the idea that a works principle governed the Mosaic covenant, see Bryan D. Estelle, J.V. Fesko, and David VanDrunen, eds., *The Law is Not of Faith: Essays on Works and Grace in the Mosaic Covenant* (Phillipsburg: P&R Publishing, 2009). For a critical response to this view, and this book, see Andrew M. Elam, Robert C. Van Kooten, and Randall A. Bergquist, *Merit and Moses: A Critique of the Klinean Doctrine of Republication* (Eugene: Wipf & Stock, 2014). The Orthodox Presbyterian Church in the United States accepted an extensive report on this issue, support the idea

the Bible itself does not refer to this relation as a covenant (*berit*), but the presupposition leading many in the Reformed tradition to label this a covenant of works is that God always relates to humans in a covenantal way.²⁸ In this context, ‘covenant’ is loosely defined as the ordering of the relation between the creator and his creation. Moreover, theological reflection identified characteristics of the relation between God and Adam that could be interpreted as covenantal. Leaving the discussion of the legitimacy of the theologoumenon of the covenant of works aside, it must be noted that for Horton this suzerainty type of covenant is in fact a covenant of the law, in distinction from a covenant of grace. This covenant of the law is conditional, provisional, typological, and pedagogical, meant to regulate Israel’s behavior, waiting for the coming of Jesus Christ. This covenant of the law consists of the laws given at Sinai, which obviously belong to the national heritage of Israel. So, the historical Israel belongs to this covenant of the law.

The other type of covenant is that of a royal grant. Unlike the suzerainty type, this type is unconditional, and characterized not by obligations that need to be met, but by promises that will be kept by the royal who has made them. On the other hand, it calls for “genuine partnership and future obedience as the reasonable response.”²⁹ Horton identifies this royal grant type of covenant in all other covenants in the Old Testament: the covenants made with Noah, Abraham, and David. “We could even include the promise made to Adam after the fall—the so-called *protoeuangelion*, as a type of royal grant treaty.”³⁰ So, while the Sinai covenant is a covenant of the law, the other covenants are covenants of the Gospel. Horton draws a sharp contrast:

Even in Deuteronomy the provisional character of the covenant of law (Sinai) is apparent. Even there, before the people have violated the terms of the treaty, the real hope that transcends national destiny in a typological land is anchored in the Abrahamic promise.³¹

Horton states that the apostle Paul regarded the old covenant (the Sinaitic pact) as obsolete, since it was no more than a “scaffolding for the building of the true and everlasting temple.”³² Therefore, Israel as a national entity in league with God was a passing phenomenon and its theocratic status revoked,

of “republication”, <https://www.opc.org/GA/republication.html> [accessed October 1st, 2021].

28 Horton, *God of Promise*, 10.

29 Horton, *God of Promise*, 56.

30 Horton, *God of Promise*, 43.

31 Horton, *God of Promise*, 43.

32 Horton, *God of Promise*, 47.

and no promises of land or other earthly blessings apply any more for Israel.³³ In this vein, Horton interprets the opposition of Hagar and Sarah in Galatians 4 as referring to the distinction between law and Gospel, Sinai and Abraham, conditional stipulations and unconditional promises.³⁴ It should be noted that 'law' and 'promise' do not distinguish between the Old and New Testaments, but "characterize two different kinds of covenants that obtain within the same history."³⁵ Even under the Old Testament, believers were dependent upon Yahweh's promise to Abraham, while they could not keep the requirements of the Sinai covenant: "The Mosaic legal tradition could hardly have been any more attractive to Solomon than it was to Paul."³⁶

Horton sides with the Protestant Reformation, particularly Martin Luther, in stressing that salvation can only be received by grace through Christ, not obtained by keeping the law as much as one can.

So just as in Galatians, the point is pressed that those who seek to obtain the blessing and avoid the curse by their personal obedience (i.e., the Sinai covenant) are already condemned, while those who seek that blessing by inheritance in Christ alone (i.e., the Abrahamic covenant) are the true heirs according to the promise.³⁷

It is no surprise to note that Horton is a staunch opponent of the New Perspective on Paul;³⁸ he thinks that Paul's opponents were legalistic indeed, not because they misunderstood the law, but because they did not understand the difference between the slave and the free person, and lived according to the covenant of works, republished at Sinai.

33 Horton, *God of Promise*, 47.

34 "The covenant of works provides the framework within which the New Testament contrast between Adam and Christ, law and promise, personal performance and representative substitution operates." Michael S. Horton, "The Church," in *Christian Dogmatics: Reformed Theology for the Church Catholic*, ed. Michael Allen and Scott R. Swain (Grand Rapids: Baker Academic, 2016), 319.

35 Horton, *God of Promise*, 74.

36 Horton, *God of Promise*, 46.

37 Horton, *God of Promise*, 60.

38 E.g., Horton, *God of Promise*, 102–3. Representatives of the so-called New Perspective on Paul emphasize that the "works of the law" that the apostle Paul criticizes, are nationalistic boundary markers rather than legalistic in nature. E.g., E.P. Sanders, *Paul and Palestinian Judaism: A Comparison of Patterns of Religion* (Philadelphia: Fortress, 1977); James D.G. Dunn, "The New Perspective on Paul," *Bulletin of the John Rylands Library* 65 (1983): 95–122; reprint in *Jesus, Paul and the Law: Studies in Mark and Galatians* (London: SPCK, 1990), 183–214.

What does this have to do with the trinitarian character (if any) of covenant theology? It is important for the present argument to note that Horton does not establish a connection between the Trinity and the covenant, except in the *pactum salutis* (covenant of redemption), which Horton pictures as a direct consequence of the doctrines of the Trinity and of unconditional election.³⁹ One could ask how the *pactum salutis* fits in the scheme of suzerainty treaties on the one hand, and royal grants on the other. In fact, it does not fit the definition of 'covenant.' Horton notes that it does not, but he still underlines its importance in its own right.⁴⁰

There are three problems with Horton's approach that relate to the lack of trinitarian reflection on the covenant. First, the concrete Israel becomes irrelevant. It has been important once in a typological sense, and its theocracy has served a temporary function,⁴¹ but under the conditions of the New Testament, the Sinai covenant and the people of Israel have become obsolete in Horton's view. As could be expected (see the introduction above), this results in spiritualization.⁴² There is an essential connection between the concrete Israel and the economic Trinity: the unity of the Old and New Testaments means that God really engaged Himself in the concreteness of Israel's theocracy. When one loses sight of Israel, one misses the concrete, historical character of the covenant, and the practical character of the doctrine of the Trinity. Horton misses these points. Second, Horton overlooks the gracious character of the Sinai covenant: although it is the law, it is the same God, the God of Israel, who deals with Israel in the way of His promises. Even when God gives his laws, this is a matter of grace: "What other nation is so great as to have such righteous decrees and laws as this body of laws I am setting before you today?" (Deut. 4: 8). Third, Horton employs dichotomies that are not themselves biblical, such as unconditional-conditional, collective-individual, as if their legitimacy are elevated above discussion, which they are not. The dichotomy between collective and individual, for instance, is indicative of present day post-Enlightenment philosophy rather than characteristic for the times of the Bible. The distinction between conditional and unconditional promises introduces a category to

39 Horton, *God of Promise*, 81–82.

40 Horton, *God of Promise*, 82.

41 Michael S. Horton, "Kingdom of God," in *Christian Dogmatics: Reformed Theology for the Church Catholic*, ed. Michael Allen and Scott R. Swain (Grand Rapids: Baker Academic, 2016), 367.

42 "The Sinai covenant established a typological interlude – a parable – of God's overarching purposes. The church became also a nation, a geopolitical entity with YHWH as King," Horton, "The Church," 320. Horton explicitly denies that his position is anti-Semitic. *God of Promise*, 47.

distinguish between absolute and relative promises that is alien to the biblical character of promise itself. Also, the distinction between law and gospel governs the way Horton reads the Bible, but the form in which Horton employs this distinction is itself insufficiently biblically warranted.

All in all, Horton does pay attention to the economy of salvation, but he shows no awareness of the problems related to the *pactum salutis* and, more importantly, he downplays the importance of Israel. It is unclear whether his view on the covenant is sufficiently eschatological, but this is doubtful since he overlooks the eschatological character of God's promises by introducing the conditional-unconditional distinction.⁴³

3 Scott W. Hahn

Scott W. Hahn is a former Calvinist who converted to Roman Catholicism, and who teaches at the Franciscan University of Steubenville, Ohio.⁴⁴ His *magnum opus* is a monograph on the covenant, which he has been working on for decades: *Kinship by Covenant*.⁴⁵ Like Michael Horton, he distinguishes between treaty-type covenants in the Old Testament, particularly Deuteronomy, and grant-type covenants, which include almost all Old Testament covenants, such as the covenants with Noah, Abraham, Leviticus, and the Davidic covenant. Hahn identifies a third type of covenant, however, which counts for him as the first, because it would form the root of the other two: the kinship covenant, in which existing family relations are confirmed or outsiders who were potentially at enmity are drawn into the family circle. Notably, Hahn regards exactly the Sinai covenant as such a kinship covenant. "The climactic scene in which Israel's elders draw near and eat a meal with 'the God of Israel' ([Exod.] 24:9–11) vividly conveys the newly-formed covenant communion and family fellowship."⁴⁶

43 Horton, *Covenant and Eschatology*, 5–7 does picture eschatological transformation as the goal of creation, but this differs from eschatology as God's promise driving history.

44 See Scott W. Hahn and Kimberly Hahn, *Rome Sweet Rome: Our Journey to Catholicism* (San Francisco: Ignatius, 1993) for an account of Hahn's conversion to Roman Catholicism.

45 Scott W. Hahn, *Kinship by Covenant: A Canonical Approach to the Fulfillment of God's Saving Promises*, AYBRL (New Haven: Yale University Press, 2009).

46 Hahn, *Kinship by Covenant*, 48.

Like Horton, Hahn evaluates the treaty-type covenant, which he sees primarily in Deuteronomy, in a more negative way than the grant type.⁴⁷ In Hahn's opinion, Deuteronomy serves as "a kind of constitutional charter for Israel's national polity,"⁴⁸ in which "Yahweh becomes more remote as a mediating bureaucracy is inserted between Him and His people."⁴⁹ This bureaucracy is the Levitical priesthood. Deuteronomy shows "less intimacy, greater severity, and a degraded level of cultic purity," when compared to Leviticus.⁵⁰ Thus, Israel became subjected, albeit temporarily, to vassalage under the suzerain, although kinship language still remained.⁵¹ Deuteronomy serves a negative function, because it anticipates Israel's disobedience by invoking covenant curses, painting "a very unflattering portrait of Israel: they are as hard-hearted as the surrounding nations."⁵²

However negative the treaty-type covenant is when compared to the other types, all three types are united by kinship language. Hahn defines 'covenant' as "a kinship bond established by oath."⁵³ The familial relation between father and son is characteristic for every kind of covenant, according to Hahn.⁵⁴ So, while Hahn also bases his approach of biblical covenants on Meredith Kline's theory, he comes to completely different conclusions than Michael Horton: he emphasizes the agreements between the various types of covenants, and between the Old and New Testament.⁵⁵ Hahn clearly does not support the republication thesis.

Methodologically, Hahn takes a synchronic approach, combining narrative analysis and canonical criticism, instead of traditional diachronic, historical-critical methods. The result of this approach is a tendency to harmonize the various voices in the Bible, subsuming a broad variety of biblical covenants under the kinship language of father and son. Meanwhile, Hahn denies that

47 Hahn does not mention Horton's position, but both are dependent on the work of Meredith Kline.

48 Hahn, *Kinship by Covenant*, 71.

49 Hahn, *Kinship by Covenant*, 69.

50 Hahn, *Kinship by Covenant*, 74.

51 Hahn, *Kinship by Covenant*, 82.

52 Hahn, *Kinship by Covenant*, 83.

53 Hahn, *Kinship by Covenant*, 333.

54 "Specifically, a canonical reading enabled us to see that the father-son relationship and its attendant imagery and terminology were consistently present in the portrayal of the divine covenants between God in [and?] Israel, in all literary traditions and historical periods." Hahn, *Kinship by Covenant*, 333.

55 Remarkably, Hahn begins his discussion of the New Testament not with Matthew's Gospel, although Matthew wrote primarily for a Jewish audience, but Hahn focuses on Luke-Acts, Galatians 3-4, and Hebrews 1-9.

older theological categories, such as some of the dichotomies applied by Horton, are still valid.⁵⁶ The oppositions of bilateral versus unilateral, conditional versus unconditional, and the focus on legal and judicial categories have become obsolete. Instead, Christ's work should be understood

in light of its function to fulfill the terms of a filial bond established by covenant oath between God and his people, the ultimate goal of which was the restoration of the filial relationship with all humanity. Thus, the atonement is ordered to kinship by covenant.⁵⁷

The link between kinship language and the Trinity is obvious, although Hahn refers to the Trinity only briefly and obliquely. He hints at some questions for trinitarian theology:

The theology of the Trinity may be enriched by recognition of the prominence of the covenantal father-son relationship between God and Israel, and ultimately between God and Adam (humanity). How does one theologically describe the correspondence between this father-son relationship and the Father-Son relationship between the First and Second Persons of the Trinity? Since the various filial relationships between God and humanity were established through covenants sealed by oath, one may also investigate whether oaths and covenants are merely conventions of human society, or if they reflect a deeper reality present within the Triune Godhead.⁵⁸

As for the latter question concerning oaths, it is relatively easy to connect this swearing of oaths in covenantal contexts with the traditional notion of the *pactum salutis*. Whereas the traditional proof texting of the doctrine of the *pactum salutis* was somewhat deficient, as argued above, this approach could provide a more thorough biblical basis to the rather speculative theological idea of the covenant of redemption.

The familial language of the father-son relationship is both more essential to the covenant and obviously closer to trinitarian language than the idea of a covenant as an agreement between two parties in a market or in a judicial context. But as Scott Hahn notes, the question remains as to how covenantal

56 Hahn, *Kinship by Covenant*, 335. Hahn does not direct these criticisms against Horton explicitly.

57 Hahn, *Kinship by Covenant*, 336.

58 Hahn, *Kinship by Covenant*, 336.

language relates to God himself as Father and Son. Here, Hahn's ideas can be supplemented by relational trinitarianism. Since God himself exists in communion, in the relation between the Father and the Son through the Spirit, and relationality is no accidental property but is the primary ontological category, it is consistent with God's relational nature that the triune God is the one who extends himself in relation to humans. While the relation between the Father and the Son remains unique and incomparable to any relation in the world, the relationality implied in the underlying theological ontology provides a point of contact—not in the sense of simple analogy, but in the sense of an *analogia fidei* or *analogia adventus*: the reality of the connection between the relation between Father, Son, and Spirit on the one hand, and our relationality lies in God's gracious act of revelation in history on the other. The analogy only exists in eschatological perspective.⁵⁹

Hahn correctly notes an essential connection between the Old and New Testaments in the father-son language and imagery, although he only hints at their relevance for trinitarian theology in the final pages of his book without discussing it more extensively. Still, Hahn overstates the unity of the Old and New Testaments. In the Old Testament it is emphasized time and again that the son of God is human, not divine.⁶⁰ As a consequence of his approach by way of narrative analysis, Hahn does not pay attention to the fact that in the *Umwelt*, it was customary to regard the king as semi-divine, and to express this in terms of sonship.⁶¹ The Old Testament, however, emphasizes the human nature of David, the person who comes closest to be the son of God. In the history of the redaction of the Old Testament, there are two opposed movements. On the one hand, the final redaction of the Psalter downplays the idea that David does similar things as the living God, emphasizing his merely human

59 On "analogy of the advent," see Eberhard Jüngel, *Gott als Geheimnis der Welt: Zur Begründung der Theologie des Gekreuzigten im Streit zwischen Theismus und Atheismus*, 3rd ed. (Tübingen: Mohr, 1978), 357–408; 389–90. Jüngel elaborates Karl Barth's idea of *analogia fidei*: Barth, *Church Dogmatics*, 2.1:224–25, 231, 252–53.

60 Hermann Spieckermann, "Macht und Ohnmacht: die theologische Dimension der Vater-Sohn-Relation im Alten Testament," in *Was ist der Mensch, dass du seiner gedenkst? (Psalm 8,5): Aspekte einer theologischen Anthropologie*, ed. Michaela Bauks, Kathrin Liess, and Peter Riede (Neukirchen-Vluyn: Neukirchener Verlag, 2008), 503–13; Martin Hengel, *The Son of God: The Origin of Christology and the History of Jewish-Hellenistic Religion* (Philadelphia: Fortress, 1976).

61 Adela Yarbro Collins and John J. Collins, *King and Messiah as Son of God: Divine, Human, and Angelic Messianic Figures in Biblical and Related Literature* (Grand Rapids: Eerdmans, 2008), 22.

character and God's supreme power.⁶² On the other hand, the book of Daniel presents a "son of man" that is clothed in semi-divine language.⁶³

Hahn's lack of attention to developments within the Old Testament, the history of religions and the *Umwelt* renders his picture of the covenantal aspects of the Bible too smoothly harmonized. While Hahn does note the various types of covenant, he could have taken developments in the history of redemption more into account. Hahn rightly notes the importance of the Lord's Supper in Luke's Gospel as a meal that confirms the covenantal bond between God and his people, including the fact that this is a "new" covenant,⁶⁴ but he neither discusses its background in Jeremiah 31 nor the nature of the eschatological newness of the new covenant. Once again, Hahn only notes continuity: "In fact, the new covenant *is not a complete novum*, it is *the renewal of the Davidic covenant*."⁶⁵ It is also in continuity with the Passover meal from the Mosaic covenant, and coheres with the promise of sitting on thrones judging the twelve tribes of Israel.⁶⁶ This may or may not be correct, but Hahn does not highlight the uniqueness of Jesus' sonship as the suffering one. This is no mere triviality, either for covenant theology, or for the doctrine of the Trinity. The nature of the relation between the Father and the Son is shown particularly in the cross and resurrection, and the eucharistic community is not merely defined by the resurrection, but primarily by the suffering and crucified Christ whose blood is an atoning sacrifice.

In conclusion, there are two sides to Hahn's contribution to covenant theology. On one hand, Hahn convincingly argues for the centrality of the father-son imagery in the Old and New Testament, and he rightly seeks a connection between this imagery and the doctrine of the Trinity. This helps to recalibrate covenant theology from biblical and trinitarian perspectives. On the other hand, however, Hahn pays insufficient attention to the progress in the history of salvation, and the specific nature of the trinitarian relation between Father and Son. Because of Hahn's emphasis on continuity, the specific role of Israel and the eschatological tension of the covenant remain underexposed.

62 Gerald H. Wilson, "King, Messiah, and the Reign of God: Revisiting the Royal Psalms and the Shape of the Psalter," in *The Book of Psalms: Composition and Reception*, ed. Peter W. Flint and Patrick D. Miller Jr., VTSup 99 (Leiden: Brill, 2005), 402.

63 Dan. 7: 13–14. Cf. Markus Zehnder, "Why the Danielic 'Son of Man' Is a Divine Being," *Bulletin for Biblical Research* 24 (2014), 331–47. For extensive discussion and literature, see John J. Collins, *Daniel: A Commentary on the Book of Daniel* (Minneapolis: Fortress, 1993), 304–10.

64 Hahn, *Kinship by Covenant*, 224–26.

65 Hahn, *Kinship by Covenant*, 226 (italics in original).

66 Hahn, *Kinship by Covenant*, 226–29.

4 N.T. Wright

The Anglican theologian and former bishop of Durham, N.T. Wright, is not only famous for his popular books on the theology and the letters of the apostle Paul, but primarily for his contributions to the New Perspective on Paul. In his voluminous work *Paul and the Faithfulness of God*, Wright characterizes Paul's theology in terms of a triple renewal of Israel's theology: (1) monotheism, "The One God of Israel, Freshly Revealed."⁶⁷ Paul expands the classical confession of Yahweh's unity and uniqueness, the Shema (Deut. 6: 4), to include Jesus Christ (1 Cor. 8: 6), and he pictures the Holy Spirit as the new shekinah and as involved in the new exodus. (2) Election, "The People of God, Freshly Reworked."⁶⁸ Through the idea of Israel's Messiah as the focus of election, who incorporates the people of God, Paul reinterprets the election of Israel and the covenant made with Israel. (3) Eschatology, "God's Future for the World, Freshly Imagined."⁶⁹ Paul redefines the hope of Israel as being realized through Jesus as the coming King and the Spirit as the gift of the one who comes. This eschatological era is inaugurated yet incomplete. These three themes fit the subject of this paper well, since the first and third are obviously related to trinitarian theology, while the second covers the theme of the covenant, which in the Old Testament clearly converges with the election of Israel.

In comparison to Scott Hahn, Wright's approach may sound similar because he also emphasizes the Bible's narrative character, but whereas Hahn limits himself to an analysis of the biblical *texts*, Wright is also—even primarily—interested in the progress of covenantal *history*. Wright pictures history in five stages, which function like the acts of a play. The first four are: (1) creation, (2) fall, (3) Israel, and (4) Jesus. In the fifth act, the act of the church, it is the turn of present-day believers to push the development of the previous acts forward. Thus, the picture of five acts serves a hermeneutical function for the self-understanding of the Christian church. This comes with a new understanding of authority, and of the nature of the covenant:

Part of the initial task of the actors chosen to improvise the new final act will be to immerse themselves with full sympathy in the first four acts, but not so as merely to parrot what had already been said. They cannot go and look up the right answers. Nor can they simply imitate the

67 N.T. Wright, *Paul and the Faithfulness of God*, Christian Origins and the Question of God 4 (London: SPCK, 2013), 2:619–773.

68 Wright, *Paul and the Faithfulness of God*, 2:774–1042.

69 Wright, *Paul and the Faithfulness of God*, 2:1043–266.

kinds of things that their particular character did in the early acts. A good fifth act will show a proper final development, not merely a repetition, of what went before. Nevertheless, there will be a rightness, a fittingness, about certain actions and speeches, about certain final moves in the drama, which will in one sense be self-authenticating, and in another gain authentication from their coherence with, their making sense of, the 'authoritative' previous text.⁷⁰

Thus, the trinitarian movement in the covenantal process starts from the work of the Father in creation, through the work of the Son as the one righteous Israelite, the Messiah, to the work of the Holy Spirit, who inspires believers to live their lives in a way that is faithful to the previous covenant history.

For those who fear—like Bram van de Beek, quoted in the introduction—that covenant theology equals bourgeois theology and drains away all of the eschatological tensions, Wright demonstrates the exact opposite: his theology of the covenant is thoroughly eschatological, and his eschatology is covenantal. Of course, it may still be the case that in specific historical contexts the eschatological nature of covenant theology was neglected, but Wright offers a specimen of biblical theology in which covenant and eschatology are kept together.

Also, there can be no doubt that when the covenant is discussed, Israel is important. For Wright, Israel is less a passing phase in the history of salvation than it is for Michael Horton, but it belongs to the progress of God's covenant that it is expanded to include gentiles after the single righteous Israelite Jesus Christ has risen from the dead. The Messiah became a curse for us, "so that the blessing of Abraham might come upon the Gentiles."⁷¹ This was necessary because Israel had proven to be unfaithful.

The problem is that the law looked as if it would prevent the Abrahamic promises from getting out to the nations, and thus prevent the single-plan-through-Israel-for-the-world from coming to pass. This is exactly the point Paul summarizes in Romans 3:3: Israel, entrusted with the oracles of God, proved unfaithful to the commission (despite the boast of Romans 2:17–20). [...] Paul sees the entire history of Israel since Moses as the outworking of these great promises and warnings. In particular, he

⁷⁰ N.T. Wright, *The New Testament and the People of God*, Christian Origins and the Question of God 1 (Minneapolis: Fortress, 1992), 141. Wright, *Paul and the Faithfulness*, 1:456–537 offers a more nuanced picture, in which the various layers of the biblical narrative are more clearly distinguished. However, this nuance does not replace Wright's picture of history as a play in five stages.

⁷¹ Gal. 3:14.

understands the long period since the geographical exile as the continuation of the period of the “curse.” If Israel were to stay under that curse forever—as appeared inevitable, granted that nobody in Israel did in fact abide by everything written in the Torah—then the promises would never be released to the wider world, and Israel itself would never be renewed.⁷²

So, with respect to all three aspects addressed in the introduction, Wright takes a step forward: first, with respect to the connection between Trinity, covenant, and the economy of salvation; second, in the eschatological character of the covenant; third, in the place of Israel. Wright’s model is more trinitarian than Horton’s, and more eschatological than Hahn’s. Gentiles share in the salvation that the God of Israel brings in Jesus Christ, the King of Israel and of the world, through the eschatological spirit. There is a development in which the coming of the Messiah forms the climax of the covenantal history, so that Wright’s understanding of the Trinity is completely intertwined with his understanding of the history of salvation.

Still, the second and third aspects, eschatology and Israel, are kept too separate. Although Israel is not as much a passing phase for Wright as it is for Horton, his five stage hermeneutics still seems to limit the function of Israel to the past.⁷³ Wright does not keep Israel and eschatology together: for the church of the present day, eschatology remains instead of Israel. Israel, the previous act of the play, plays a subordinate role, in memory.

5 Evaluation

The present brief discussion of three contemporary contributions to covenant theology obviously does not warrant a comprehensive conclusion concerning covenant theology. Still, some conclusions can be drawn and observations made.

As to conclusions, Michael Horton’s contribution is particularly strong in picturing the covenant as an overarching principle of history, although the republication thesis is not convincing. Horton focuses on the economic Trinity, but does not take Israel into sufficient account. Scott Hahn has provided ample

72 N.T. Wright, *Justification: God’s Plan and Paul’s Vision* (Downers Grove: IVP Academic, 2009), 124–25.

73 Compare Wright, *Paul and the Faithfulness of God*, 2:804–15, in which Israel is reduced to an instrumental function: “Through Israel to the World.”

biblical material for the renewal of covenant theology from the perspective of father-son language, although his approach lacks attention to history, eschatology, and Israel. N.T. Wright provides an approach to the covenant that, at first sight, meets all three questions formulated in the introduction: the connection of Trinity and economy, eschatology, and Israel. His five stage hermeneutic threatens the latter, however.

Based on this overview, the following observations can be made.

First, it should be noted that when the Trinity is primarily understood in economic terms, Trinity, eschatology and covenant/election form a unified whole. This is in accordance with the fundamental renewal Paul brought to covenant theology: the confession that Jesus Christ as the Son of God and the Son of man both takes the place of Israel as covenant partner and places himself on the side of God by identifying himself with the Father. This claim is vindicated in his resurrection. Here, the doctrine of the Trinity and the doctrine of the covenant genuinely and intimately cohere.

Second, with respect to the warnings by Van de Beek that the doctrine of the covenant should not result in a tensionless bourgeois theology there is an ample possibility to recalibrate covenant theology from a biblical theology of the Old and New Testaments. N.T. Wright offers a fine example of keeping covenant and eschatology closely together. Biblically, the covenant is characterized by promise, which is an eschatological category. Of course, this immediately calls into question the character of the 'covenant of works' and the 'covenant of redemption' as true covenants. The Bible does not call these covenants, nor do they bear the promised character of the covenant of grace. While there are valid theological concerns underlying these theologoumena, it is doubtful whether these can be labeled as covenants.⁷⁴

Third, the covenant needs to be discussed as the *history* of the covenant. Although Scott Hahn has written an impressive book on the covenant, its canonical approach and narrative analysis lack the accent on history that is vital for covenant theology. N.T. Wright provides a historical picture, although his five act hermeneutic leads to an underestimation of Israel, and possibly of the authoritative nature of the text. Within the history of the covenant, the Christ event is central: it shows both continuity (emphasized by Hahn and others) and discontinuity, as the new covenant in Jeremiah 31 is both a renewal of the existing covenant and a new covenant. In short, the covenant needs to be discussed in the light of eschatology: by way of his promises, God opens ever new avenues for his people to lead them onward.

74 See Hans Burger's discussion of the covenant of works in the present volume.

Fourth, a positive relation between covenant and baptism is possible. Although Van de Beek states that the connection between the covenant with Israel and baptism is not biblical, the previous discussion makes it not difficult to see why the two are in fact essentially connected: because of Christ. The new covenant inaugurated by Christ comes with a new definition of the people of God, in which earlier identity markers as works of the law become as much of a burden as they may have seemed an advantage.⁷⁵ The new sign of the new covenant is a sign that implies the union with Christ, who is an incorporative Messiah. Thus, baptism is in fact highly eschatologically laden, because it is a sign of the unity with Christ's death and resurrection, also in the age to come. All this may well be the implication of Paul's famous statement on baptism as "a circumcision not performed by human hands."⁷⁶

All in all, earlier criticisms of Reformed covenant theology can be countered by biblical resourcing and thoroughly trinitarian theology. Thus, covenant theology need not be speculative, bourgeois or a replacement theology that eclipses Israel. Rather, covenant theology as trinitarian theology stays close to the authoritative biblical history, is eschatological in nature, in ongoing solidarity and unity with Israel.

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75 Phil. 3: 4–11.

76 Col. 2: 11.

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Theology without a Covenant of Works

A Thought Experiment

Hans Burger

1 Introduction

At the background of all Reformed theological reflection on the covenant stands seventeenth century federal theology, in which the doctrine of the covenant has a controlling function.¹ According to federal theology, three covenants exist: the intratrinitarian covenant of redemption in which Father, Son, and Spirit agreed to save the elect; the prelapsarian covenant with Adam, often referred to as the covenant of works; and the covenant of grace, which began right after Adam's fall. The prelapsarian covenant with Adam structures the relationship between God and humanity both before and after the fall. As a consequence, the covenant of works determines the covenant of grace.

In the New Testament, Paul mentions twice the 'covenants,' *diathèkai*, in which Israel participated (Rom. 9: 4; Eph. 2: 12). These covenants of Israel differ from the three covenants of federal theology. Scripture does not mention explicitly the intratrinitarian covenant of redemption, nor the prelapsarian covenant of works. Furthermore, the covenant of grace is not one covenant that embraces the history of salvation. Instead, we find in Israel's history different *berits* or *diathèkai*, with Abraham, Israel, David, and a new *berit*. Consequently, the use of 'covenant' in systematic theology differs from the use of *berit* and *diathèkè* in scripture.

It is a presupposition of this article that systematic theology (dogmatics) should be a guide in reading and interpreting scripture. Dogmatics has its own task and develops its own concepts for theological purposes. However, these theological concepts have to facilitate the reading of scripture and should not constitute an obstacle in understanding scripture. As a consequence, the use of *berit* and *diathèkè* in scripture is relevant for the use of 'covenant' in systematic

1 For a short impression of this position, see Andrew T.B. McGowan, *Adam, Christ and Covenant* (Nottingham: Inter Varsity, 2016), 10–12; David A. Weir, *The Origins of the Federal Theology in Sixteenth-Century Reformation Thought* (Oxford: Clarendon, 1990), 3–5.

theology. And it is problematic when the use of 'covenant' in dogmatics is completely different from the use of *berit* and *diakthèkè* in scripture.

In this article, I focus on the covenant of works. According to Weir, this covenant is "the identifying feature of the federal theology."² This article gives a critical analysis of the concept. I will start with the historical background of the covenant of works. Second, I will analyze the theological functions of the covenant of works within the framework of Reformed dogmatics. Third, I will deal with the problems of this concept that constitute arguments against the use of this concept. Finally, I will outline a theology without a prelapsarian covenant. Here, the article has the character of a thought experiment: what could a Reformed theology without a prelapsarian covenant look like? The aim is to answer the question: do we need the concept of a prelapsarian covenant in Reformed theology?

2 Historical Background

The 'covenant of works' was developed in the sixteenth century.³ However, its roots can be traced back before the middle ages, to Augustine and Irenaeus. It seems that Augustine was the first to write about a pre-fall covenant with Adam.⁴

During the medieval period, several strands of thought are important for the genesis of the covenant of works. The first strand is related to the sacrament of penance and the logic of works and merit connected to this sacrament.

2 Weir, *Origins of the Federal Theology*, 22; cf. 29. Further about the covenant of works, "das beherrschende Prinzip des ganzen." Karl Barth, *Kirchliche Dogmatik*, vol. 4.1, *Die Lehre von der Versöhnung* (Zürich: Theologischer Verlag, 1953), 62. And "secondary of derivative" but still "fundamental." Richard A. Muller, "The Covenant of Works and the Stability of Law in Seventeenth-Century Reformed Orthodoxy: A Study in the Theology of Herman Witsius and Wilhelmus à Brakel," *Calvin Theological Journal* 29 (1994), 75–101.

3 For literature regarding the history of the doctrine of the covenant, see J. Mark Beach, *Christ and the Covenant: Francis Turretin's Federal Theology as a Defense of the Doctrine of Grace* (Göttingen: Vandenhoeck & Ruprecht, 2007), 19–64; Aaron C. Denlinger, *Omnes in Adam Ex Pacto Dei: Ambrogio Catarino's Doctrine of Covenantal Solidarity and Its Influence on Post-Reformation Reformed Theologians* (Göttingen: Vandenhoeck & Ruprecht, 2010), 36–64; Weir, *Origins of the Federal Theology*, 1–36; Andrew A. Woolsey, *Unity and Continuity, in Covenantal Thought: A Study in the Reformed Tradition to the Westminster Assembly* (Grand Rapids: Reformation Heritage, 2012), 80–158.

4 On Irenaeus and Augustine, see Woolsey, *Unity and Continuity*, 164–66, 170–82; Peter A. Lillback, *The Binding of God: Calvin's Role in the Development of Covenant Theology* (Grand Rapids: Baker Academic, 2001), 38–45.

Jaroslav Pelikan has shown how deeply the sacrament of penance has influenced medieval theology.⁵

Second, Berndt Hamm has investigated the tradition of what he calls 'divine self-binding' from Augustine to Luther. Within this tradition words were used like *promissio*, *sponsio*, *pollicitatio*, *institutio*, *condicio*, *conventio*, *contractio*, *decretum*, *statutum*, *ordinatio*, and *pactum*. These words were used in a soteriological context. From Duns Scotus on, the difference between *potentia absoluta* and *potentia ordinata* played a crucial role in attempts to understand the meritorious character of our good works. Contingently, God limits himself in his relationship with his creation to ordinances, to a pact, a covenant.

Firstly, this tradition of divine self-binding was important because of its use to explain the economy of salvation. God's free self-binding was an alternative to an ontological understanding of the meritorious character of our works. When inherent qualities of our works force God to accept them, this would imply pelagianism, due to the identification of '*facere quod in se est*' (do what is within someone) with '*facere ex puris naturalibus*' (act from one's own powers). God's self-binding in a covenant makes it possible to distinguish a specific kind of theological causality (covenantal causality) and safeguards his free sovereignty.⁶ The distance between God's glory and the worth of human works can be maintained, for it is in his freedom and grace that God decides to give his reward. Nevertheless, it is important to note that in late medieval nominalism, these words still reflected a semi-pelagian position.⁷

5 Jaroslav Pelikan, *The Emergence of the Catholic Tradition (100–600)*, vol. 1 of *The Christian Tradition: A History of the Development of Doctrine* (Chicago: The University of Chicago Press, 1975), 330–31; Pelikan, *The Growth of Medieval Theology (600–1300)*, vol. 3 of *The Christian Tradition: A History of the Development of Doctrine* (Chicago: The University of Chicago Press, 1978), 210; Pelikan, *The Reformation of Church and Dogma (1300–1700)*, vol. 4 of *The Christian Tradition: A History of the Development of Doctrine* (Chicago: The University of Chicago Press, 1984), 95, 128.

6 William J. Courtenay, "Covenant and Causality in Pierre d'Ailly," in *Covenant and Causality in Medieval Thought: Studies in Philosophy, Theology and Economic Practice* (London: Variorum Reprints, 1984), 99.

7 Berndt Hamm, *Promissio, Pactum, Ordinatio: Freiheit Und Selbstbindung Gottes in der scholastischen Gnadenlehre* (Tübingen: Mohr, 1977), 352–53, 393, 415. See further Cornelis Graafland, *Van Calvijn tot Comrie: Oorsprong en ontwikkeling van de leer van het verbond in het Gereformeerd Protestantisme* [From Calvin to Comrie: Origin and development of the doctrine of the covenant in Reformed Protestantism] (Zoetermeer: Boekencentrum, 1992–1996), 1:30–40, 171–85; Lee Irons, "Redefining Merit: An Examination of Medieval Presuppositions in Covenant Theology," in *Creator, Redeemer, Consummator: A Festschrift for Meredith G. Kline*, ed. Howard Griffith and John R. Muether (Eugene: Wipf and Stock, 2007), 256–65; Lillback, *Binding of God*, 45–57; Stephen Strehle, *Calvinism, Federalism, and Scholasticism: A Study of the Reformed Doctrine of Covenant* (Bern: Lang, 1988), 6–82.

Secondly, this covenantal thinking could be used to clarify the relationship between God and his creation. In the work of the late-medieval nominalist Pierre d'Ailly, we find two covenants: a covenant that was begun at creation and a covenant with the church, embracing the saints of all centuries before and after Christ. According to Courteney, this first covenant with humanity concerns God's commitment to uphold his creation and the laws that govern his creation.⁸

Some Reformed theologians have problems affirming a continuity between nominalist and Reformed covenantal thinking. Nevertheless, the fact that the magisterial reformers oppose the pelagian tendencies of late medieval nominalism does not imply a discontinuation with a tradition of divine self-binding, thinking in terms of promise and covenant. Strangely, e.g. Michael Horton does not see that he shares a covenantal ontology with late medieval nominalism.⁹

Third, Reeling Brouwer, Lillbeck, and Woolsey mention political and social thought, resulting in social contract theory. According to Woolsey, these two traditions are distinct but interrelated.¹⁰ In the political tradition, the Investiture Struggle (1060–1107) and the Conciliar Movement (1409–1449) both stimulated reflection that led to the development of the idea of a social contract.¹¹ The theologians who occupied themselves with the doctrine of the covenant knew the practice of covenant making in ecclesiology and the political covenants in Switzerland, Scotland and the Netherlands. Both the legal concept of a contract and the theological concept of a covenant developed in the same period.¹²

The development of covenantal thinking and even the existence of the idea of a pre-fall covenant already in Augustine and in medieval theology, should make one cautious to overemphasize differences between the early reformers and the later mature federal theology.¹³ However, some features of the development of the concept of the covenant of works can be mentioned.

8 Courtenay, "Covenant and Causality," 117. In support of Courtenay's position, see Woolsey, *Unity and Continuity*, 196–98; Denlinger, *Omnes in Adam*, 56–68.

9 See Michael S. Horton, *Covenant and Salvation: Union with Christ* (Louisville: Westminster John Knox, 2007), 160; Denlinger, *Omnes in Adam*, 64–65; Graafland, *Van Calvijn tot Comrie*, 1:32, 177–78; Woolsey, *Unity and Continuity*, 202–3. Lillbeck, *Binding of God*, sees Calvin as the link between nominalist covenantal thought and reformed federal theology; according to Denlinger, *Omnes in Adam*, it is Ambrogio Catarino.

10 Woolsey, *Unity and Continuity*, 184–94.

11 Woolsey, *Unity and Continuity*, 187–90.

12 Lillbeck, *Binding of God*, 305; and further 29–37. Cf. Rinse H. Reeling Brouwer, *Karl Barth and Post-Reformation Orthodoxy* (Farnham: Ashgate, 2015), 144–47.

13 Cf. Pierrick Hildebrand, "Heinrich Bullinger (1504–1575) and the Covenant of Works" (in this volume, 254–66).

It is significant that Luther, Melancthon, Calvin, and Bullinger all understood the prelapsarian state as determined by law.¹⁴ Melancthon identifies Old and New Testament with law and gospel.¹⁵ Comparably, for Calvin, natural law and Mosaic law were virtually identical.¹⁶

It is still an ongoing debate whether all elements of the concept of a 'covenant of works' are present in Calvin's theology.¹⁷ Clearly, Zacharias Ursinus developed such a concept (in 1562; in print in 1584). This prelapsarian covenant is closely related to the Decalogue.¹⁸ The name 'covenant of works' was used for the first time by Dudley Fenner. He understood this covenant of works in the light of several New Testament passages.¹⁹ Between 1600 and 1640 the covenant of works slowly became an accepted concept.²⁰ In the Westminster Confession of Faith (1647), the covenant of works became the official position in Presbyterian theology.

3 Theological Functions

For the purposes of this article, especially the theological functions of the concept of the 'covenant of works' are important. In general, the doctrine of the covenant serves to (re)construct coherence and connection, often as an alternative to ontological or societal bonds that were perceived in an earlier phase of history. In nominalism, the concept of the covenant served as an alternative to the ontological frameworks of Neoplatonist and Aristotelian-Thomistic

14 On Luther, see Graafland, *Van Calvijn tot Comrie*, 1:30–50; Lillbeck, *Binding of God*, 58–80; Woolsey, *Unity and Continuity*, 209; Strehle, *Calvinism, Federalism, and Scholasticism*, 83–104. On Bullinger, see Hildebrand in this volume.

15 On Melancthon, Strehle, *Calvinism, Federalism, and Scholasticism*, 92–97. According to Moltmann, Melancthon is the cause of the discontinuity between earlier and later Reformation theologians, see Denlinger, *Omnes in Adam*, 39; Lillbeck emphasizes in relationship to the understanding of the covenant in Gen. 17, that Wittenberg and Switzerland differed with respect to law and gospel. See Lillbeck, *Binding of God*, 110–25.

16 Muller, "Covenant of Works," 88–89; Lillbeck, *Binding of God*, 276–304; Woolsey, *Unity and Continuity*, 277–305; Denlinger, *Omnes in Adam*, 46–56.

17 On this issue, see Lillbeck, *Binding of God*, 276–304; Denlinger, *Omnes in Adam*, 36–56. According to Denlinger, Calvin had no covenantal (foederalist) understanding of original sin, see Denlinger, *Omnes in Adam*, 49–56.

18 On Ursinus, see Graafland, *Van Calvijn tot Comrie*, 2:11–41; Strehle, *Calvinism, Federalism, and Scholasticism*, 163–68; Weir, *Origins of the Federal Theology*, 99–114; Woolsey, *Unity and Continuity*, 399–420.

19 Graafland, *Van Calvijn tot Comrie*, 2:155–56; Weir, *Origins of the Federal Theology*, 137–44.

20 See Michael McGiffert, "The Perkinsian Moment of Federal Theology," *Calvin Theological Journal* 29 (1994): 117–49.

thinking; in the Reformation, it also served to reconstruct societal coherence in the rapidly changing world of the early modern era. The covenant (re)constructs coherence and connections between God, creation and humankind, within humanity, and between Old and New Testament in scripture.

In this article, the focus is on the concept of the covenant of works. What is its function?

1. *Covenantal ontology*: in general, the covenant of works is one of the basic concepts of a covenantal ontology. According to Bavinck, “among rational and moral creatures all higher life takes the form of a covenant.”²¹ In such a framework of covenantal thinking, a covenant between God and his creation, between God and humanity cannot be missed. The relationship between God and creation or humanity has to be covenantal. This is an alternative to a metaphysically or onto-theologically conceived relationship, like a Roman-Catholic metaphysics of nature and grace (Bavinck) or an ontology of participation (Horton).²²
2. *God’s sovereignty*: because the distance between God and his creation is infinite, the sovereign creator and king has to make a covenant to bridge this distance. This is stated clearly in the Westminster Confession, “The distance between God and the creature is so great, that although reasonable creatures do owe obedience unto Him as their Creator, yet they could never have any enjoyment of Him as their blessedness and reward, but by some voluntary condescension on God’s part, which He has been pleased to express by way of covenant.”²³ A covenant between creator and creation both guarantee their relatedness and the sovereignty of God. Gordon Spykman characterizes the covenant as a charter of God’s kingdom.²⁴

21 “Alle hooger leven onder redelijke en zedelijke schepselen draagt den vorm van een verbond.” Herman Bavinck, *Gereformeerde dogmatiek*, 4th ed. (Kampen: Kok 1928–1929), 2:530, (*Reformed Dogmatics*, trans. John Vriend [Grand Rapids: Baker Academic 2004], 2:568). Cf. Klaas Schilder, *Wat is de hemel?* [Heaven: what is it?] (Kampen; Kok 1935), 237–38, 245.

22 Bavinck, *Gereformeerde dogmatiek*, 2:499–509 (*Reformed Dogmatics*, 2:539–48); Michael S. Horton, *Lord and Servant: A Covenant Christology* (Louisville: Westminster John Knox, 2005), 10–16, 84, 93; Horton, *Covenant and Salvation*, 3, 7, 152–53, 181–215.

23 WCoF VII.1. Echoed by Bavinck, *Gereformeerde dogmatiek*, 2:530–31 / *Reformed Dogmatics*, 2:568–70; Horton, *Lord and Servant*, vii, 81.

24 Gordon J. Spykman, *Reformational Theology: A New Paradigm for Doing Dogmatics* (Grand Rapids: Eerdmans, 1992), 258. Further Willem J. van Asselt, *The Federal Theology of Johannes Cocceius (1603–1669)* (Leiden: Brill, 2001), 259–61; Craig G. Bartholomew, “Covenant and Creation: Covenant Overload or Covenantal Deconstruction?,” in *Calvin Theological Journal* 30 (1995): 25; Beach, *Christ and the Covenant*, 81–85; Richard P. Belcher Jr., “The

3. *Dependency of humanity*: For humanity, this implies dependency. God has no obligations towards his creatures. Human beings can claim nothing of their creator, apart from what He freely promised to give them. Hence, the covenant of works has an anti-pelagian function. Humans can claim no reward for their good works, both before and after the fall. According to Bavinck, merit is only possible *ex pacto*, and not *ex condigno* (by a full merit), as Roman Catholic theologians taught. He does not mention that the late medieval nominalist theologians developed their semi-pelagian idea of merit *ex congruo* (merit of congruity) also out of anti-pelagian motives. Merit *ex pacto* can be developed in a semi-pelagian way as merit *ex congruo* or within a Reformed doctrine of the covenant of works in a more strictly anti-pelagian fashion.²⁵
4. *Moral responsibility of humanity*: Furthermore, the covenant between the sovereign king and created humanity implies for humanity moral freedom and responsibility. Because we are created to obey God, disobedience makes us guilty. According to many Reformed theologians, the creation of human beings as morally responsible beings implies that we are created with moral knowledge, and this natural moral law is identical with the ten commandments. We are created with the ability to know and to obey God's law. Furthermore, the covenant of works locates humanity within creation. Human beings are created in the position of *dominium*, as God's stewards. This position of *dominium* makes the consequences of our fall far-reaching within creation. God, however, cannot be held responsible for our fall in sin, not even as a consequence of his decree of election and reprobation. Because the fall in sin does not alter our moral responsibility over against God, the commandments of God

Covenant of Works in the Old Testament," in *Covenant Theology: Biblical, Theological, Historical Perspectives*, ed. Guy Prentiss Waters, J. Nicholas Reid, and John R. Muether (Wheaton: Crossway, 2020), 68–69; John Bolt, "Why the Covenant of Works Is a Necessary Doctrine," in *By Faith Alone: Answering the Challenges to the Doctrine of Justification*, ed. Gary L.W. Johnson and Guy Prentiss Waters (Wheaton: Crossway, 2007), 184; J. van Genderen and W.H. Velema, *Beknopte gereformeerde dogmatiek* [Concise reformed dogmatics] (Kampen: Kok, 1992), 362; Schilder, *Wat is de hemel?*, 249–50; S.A. Strauss, *Alles of niks: K. Schilder oor die verbond* [All or nothing: K. Schilder on the covenant] (Bloemfontein: Patmos, 1986), 72; P. Veldhuizen, *God en mens onderweg: Hoofdmomenten uit de theologische geschiedbeskouwing van Klaas Schilder* [God and man on the road: Key moments in Klaas Schilder's theological philosophy of history] (Leiden: Groen, 1995), 67–68.

- 25 Bavinck, *Gereformeerde dogmatiek*, 2:500–5, 512, 533, 535 / *Reformed Dogmatics*, 2:539–44, 551, 571–74; Belcher, "The Covenant of Works," 69; Irons, "Redefining Merit;" Muller, "Covenant of Works," 91–93; Strauss, *Alles of Niks*, 83, 99.

are still binding. The covenant of works guarantees the stability of the divine law.²⁶

5. *Unity of humanity*: The covenant of works also defines the unity of humanity under its federal head, Adam. The Pauline idea of Adamic headship, mirrored in the new covenant in the headship of Christ, has been incorporated in the doctrine of the covenant of works. Human beings belong together in one federal or organic unity and exist in solidarity. Furthermore, the headship of Adam is essential in the doctrine of original sin (see 7). Finally, it can be essential for understanding union with and participation in Christ.²⁷
6. *Human destiny*: the covenant of works further determines human destiny and the way to reach this destiny. In the way of obedience to God's covenant, human beings can obtain eternal glory. This eschatological destination can be deserved, because God in his grace made this merit *ex pacto* possible. Accordingly, for Michael Horton, eschatology is more fundamental than soteriology. Comparably, Beach finds in Turretin a prelapsarian covenant eschatology, and for Klaas Schilder, history

26 Van Asselt, *Federal Theology*, 253–54, 261–68; Beach, *Christ and the Covenant*, 86–90, 143; Bolt, “Covenant of Works,” 183, 185; Bavinck, *Gereformeerde dogmatiek*, 2:532–33, 535; Horton, *Lord and Servant*, 80–81, 94, 101, 105, 128, 131–32, 208; McGowan, *Adam, Christ and Covenant*, 10; Muller, “Covenant of Works,” 88–90, 95–97; Schilder, *Wat is de hemel?*, 245, 250; Strauss, *Alles of Niks*, 78, 86–87, 97, 101; Veldhuizen, *God en mens onderweg*, 86–92.

Weir emphasizes that the covenant of works safeguards the moral responsibility of humanity against the pressure of the doctrine of election. He seems to have overstated his case. Nevertheless, still the covenant of works has this theological function. See Weir, *Origins of the Federal Theology*, 15–16, 22–23, 27, 32.

27 Bavinck, *Gereformeerde dogmatiek*, 2:538–40; 3:82–85 / *Reformed Dogmatics*, 2:576–79; 3:103–6; Denlinger, *Omnes in Adam*, 185–92; Van Genderen and Velema, *Beknopte gereformeerde dogmatiek*, 364; Horton, *Lord and Servant*, 96, 115, 128, 135, 160, 224; McGowan, *Adam, Christ and Covenant*, 10; Muller, “Covenant of Works,” 94; Veldhuizen, *God en mens onderweg*, 82–84, 88.

According to John Bolt, the federal headship of Adam is “not negotiable” and hence the crucial element in his defense of the covenant of works. Andrew McGowan separates the headship of Adam from the doctrine of the covenant. This enables him to maintain the headship of Adam in his ‘headship theology’ without a covenant of works. See Bolt, “Covenant of Works,” 183–84; McGowan, *Adam, Christ and Covenant*.

For Michael Horton, federal headship is the way to understand participation in Christ in accordance with a covenantal ontology. See Horton, *Covenant and Salvation*, 129–52, 164–65, 168, 200. Guy Prentiss Waters writes: “Paul understood God to have entered into a covenant with Adam as a representative man.” Guy Prentiss Waters, “The Covenant of Works in the New Testament,” in *Covenant Theology: Biblical, Theological, Historical Perspectives*, ed. Guy Prentiss Waters, J. Nicholas Reid, and John R. Muether (Wheaton: Crossway, 2020), 81.

would include also for Adam before the fall a 'katastrofe' (catastrophe) or 'schokmoment' (moment of shock, shake, or clash) of eschatological transformation.²⁸ As we will see, this influences the understanding of satisfaction (9).

7. *Understanding of sin*: related to 4 and 5, sin is understood for all humanity as disobedience to God, to the covenant of works and to the law of God. Furthermore, humanity is entirely involved in the consequence of the sin of their head Adam. As a consequence of original sin, all human beings are born as sinners who are liable to death.²⁹
8. *Covenant with Israel*: concerning the effect of the covenant of works on the understanding of Israel, different effects can be perceived. In the case of Bavinck, the threefold scheme of the covenants results in a blind spot about Israel. Other federal theologians, however, see the covenant with Israel as a republication of the covenant of works. The conditionality of obedience, works and merit are identical in both the covenant of works and the covenant with Israel.³⁰
9. *Doctrine of satisfaction and justification*: after the fall and in the covenant of grace, humans still face the problem of the broken covenant of works. Within the federal framework, the covenant of works therefore informs the understanding of the satisfaction by the mediator in the covenant of grace. This mediator is covenantal head of humanity, in a way comparable to Adam. Combining grace with the stability of the divine law, God's mercy with his righteousness, Christ graciously fulfils the conditions of the covenant of works. On the one hand, by his passive obedience Christ repairs the damage of our disobedience, bearing the punishment in our stead. On the other hand, Christ fulfills by his active obedience the required obedience of the covenant of works to purchase the destination

28 Van Asselt, *Federal Theology*, 264–65; Bavinck, *Gereformeerde dogmatiek*, 2:512, 526, 534 / *Reformed Dogmatics*, 2:551, 565, 572–73; Beach, *Christ and the Covenant*, 131–35; Belcher, "The Covenant of Works", 76; Horton, *Lord and Servant*, xi, xiii, 79–80, 94, 104, 108–9, 129, 151, 191; McGowan, *Adam, Christ and Covenant*, 10; Schilder, *Wat is de hemel?*, 250–252; Strauss, *Alles of Niks*, 76–77, 81, 90–92.

29 Barth, *Kirchliche Dogmatik* 4.1, 66; Belcher, "The Covenant of Works", 70; Denlinger, *Omnes in Adam*, 185–92; Horton, *Lord and Servant*, 128, 135; Bavinck, *Gereformeerde dogmatiek*, 2:547–50; 3:82–85 / *Reformed Dogmatics*, 2:584–88; 3, 103–6; Beach, *Christ and the Covenant*, 143; Van Genderen and Velema, *Beknopte gereformeerde dogmatiek*, 370–81; Veldhuizen, *God en mens onderweg*, 99–102; Waters, "The Covenant of Works", 96.

30 See Weir, *Origins of the Federal Theology*, 4; McGowan, *Adam, Christ and Covenant*, 70; Michael S. Horton, *Covenant and Eschatology: The Divine Drama* (Louisville: Westminster John Knox, 2002), 133; Horton, *Lord and Servant*, xi; 120, 151, 159; Horton, *Covenant and Salvation*, 13–15, 17, 97; Schilder, *Wat is de hemel?*, 255.

of eternal glory. Justification by faith alone means that this twofold obedience of Christ is imputed to the believers.³¹

10. *Ongoing validity of God's law*: the covenant of works, finally, has a political function. In a period of transition the covenant of works with its implied order provided a new possible foundation for a social ethic. The covenant of works guarantees that God's law retains its societal function even for non-Christians.³²

This overview shows that the concept of the covenant of works serves many theological interests within the fabric of Reformed systematic theology. To execute a thought experiment of a theology without such a crucial concept, it is important to keep these different functions in mind. It will be an important question whether these theological interests can be served by other concepts; although it is possible as well that some of these functions are not important anymore.

4 Problems

Although the concept of the covenant of works serves many theological interests, it is problematic in several ways. It is impossible to reflect critically on the covenant of works without mentioning Karl Barth and his interaction with Cocceius as a representative of federal theology.³³ His influence can be traced in the criticism of the covenant of works by James B. Torrance and Thomas F. Torrance, but also in the emphasis of Klaas Schilder on the unity

31 Van Asselt, *Federal Theology*, 253–54; Barth, *Kirchliche Dogmatik* 4.1, 66; Bavinck, *Gereformeerde dogmatiek*, 3:81, 85, 365 / *Reformed Dogmatics*, 3:103, 106, 379; Belcher, “The Covenant of Works”, 64, 70; Bolt, “Covenant of Works”, 184; Horton, *Lord and Servant*, 79, 130–31, 133, 190–91, 220, 239–40; Horton, *Covenant and Salvation*, 24, 99, 114, 144, 187; McGowan, *Adam, Christ and Covenant*, 76–77; Muller, “Covenant of Works”, 89, 95–99; Schilder, *Wat is de hemel?*, 252–53; Strauss, *Alles of Niks*, 85, 92–95; Veldhuizen, *God en mens onderweg*, 96, 103–4; Waters, “The Covenant of Works”, 90, 97.

32 Belcher, “The Covenant of Works”, 70; Weir, *Origins of the Federal Theology*, 6–8; Horton, *Lord and Servant*, 84, 145.

33 On Barth, see McGowan, *Adam, Christ and Covenant*, 22–45; Maarten den Dulk, ... *Als twee die spreken: een manier om de heiligingsleer van Karl Barth te lezen* [... Like two people speaking: a way of reading Karl Barth's doctrine of sanctification] (Zoetermeer: Boekencentrum, 1987), 186–203.

On Barth and Cocceius, see Rinse Reeling Brouwer, *Karl Barth*, 107–43; Maarten Wisse, “The Inseparable Bond between Covenant and Predestination: Cocceius and Barth,” in *Scholasticism Reformed: Essays in Honour of Willem J. Van Asselt*, ed. Willemien Otten, Marcel Sarot, and Maarten Wisse (Leiden: Brill, 2010), 259–79.

of the covenant and his defence of the covenant with Adam in paradise.³⁴ Furthermore, the fact that S.G. de Graaf, in 1935, no longer spoke of a covenant of works and in 1940 no longer said that man has to 'obtain' but 'inherits' eternal life, suggests the probable influence of Karl Barth.³⁵

Still, from the time before Barth, the 'afgescheiden' (secessionist) tradition of Dutch Reformed theology in Kampen has an emphasis on biblical theology, and is critical of theological systems.³⁶ In this tradition, J. van Andel stated, in 1886, that the first covenant has been made with Noah after the flood. This is the presupposition of the covenant with Abraham. After the fall, God promised a second Adam. The history of the seed of Seth between Adam and Abraham demands the protection of the covenant of the promise. But before Abraham, God never made a covenant with a family. Strictly speaking, the covenant of grace starts with Abraham. No trace can be found of a covenant of works.³⁷ Thus, a critical attitude towards the concept of the covenant of works is part of my own Kampen, secessionist, tradition.

Historical research in the nineteenth and twentieth century has been influenced by a liberal or Barthian agenda. More recently, historians have emphasized the continuity between the work of the Reformers (without an explicit concept of a covenant of works) and later federal theology as well as the complexity of the concept itself in federal theology.³⁸ However, a better historical reconstruction does not solve the systematic problems of the doctrine itself. The doctrine of the covenant of works has several problems indeed.³⁹

1. *The nature of the relationship with God:*

a. *The place of the law:* According to the covenant of works, law is fundamental in our relationship with God. From the beginning, our relationship with

34 Schilder, *Wat is de hemel?*, 238, 249; Strauss, *Alles of Niks*, 66–98, 201; Veldhuizen, *God en mens onderweg*, 104–5.

35 S.G. de Graaf, *Verbondsgeschiedenis: schetsen voor de vertelling van de Bijbelsche geschiedenis* [Covenant history: Sketches for telling biblical history], vol. 1, *Oude Testament* [Old Testament] (Kampen: Kok, 1937), 14–20; H.T. Wendt, "The Love of the Lord is a Flame: The Covenant Theology of S.G. de Graaf in the Context of his Work and Life" (MA thesis, Theologische Universiteit Kampen, 2016), 88.

36 On Kampen theology, see Hans Burger, "Het belang van een deelnemersperspectief voor de theologie" [The value of a participant perspective for theology] *Nederlands Theologisch Tijdschrift* 70.4 (2016): 321–37.

37 J. van Andel, *Handleiding bij de beoefening der gewijde geschiedenis* [Manual for the practice of sacred history] (Leeuwarden: G. Amsing 1886), 1:21–23, 35–36, 38.

38 Hildebrand, "Heinrich Bullinger (1504–1575)" (in this volume, 254–66); Matthias Mangold, "Friendship, Covenant, and Law: The Doctrine of the Covenant of Works in Johannes Braun (1628–1708)" (in this volume, 267–82).

39 Beach, *Christ and the Covenant*, 78–79.

God and with creation is regulated by law. But is that true? In scripture, the Torah is given to Israel. Furthermore, the doctrine of the covenant emerged in a voluntarist climate, where the will of God became fundamental to God's acts. Voluntarism does not see God's will as an expression of his justice and goodness, for in his absolute power God could have decided something completely different. However, if God's creation is already an expression of his goodness and his justice, it is questionable whether Adam needed God's law before the fall. If it is possible to maintain the forensic/legal character of the relationship between Creator and creature in a different way, we do not need to presuppose the gift of a law before the fall.⁴⁰

b. *Merit instead of eschatological newness*: More problematic is that, according to the covenant of law, the relationship with God is characterised by a mechanism of works and merit. By works of obedience, humans have to merit their final destination. Here the influence of the sacrament of penance, reaching back deep into the medieval period can be traced. Although the idea of merit is criticised and modified by emphasising the gratuitous nature of *meritum ex pacto*, the mechanism stays the same.⁴¹

S.G. de Graaf shared this criticism. According to De Graaf, God gave Adam and Eve the covenant of his favour ("gunst," distinguished from the covenant of his grace, "genade," after the fall). This covenant was like a marriage, a covenant of love. When humanity would choose God's favour by passing the test of the tree in the garden, they could live in God's favour eternally. Instead of obtaining life, humanity would inherit eternal life.⁴² This fits well with what McGowan calls "demerit."⁴³ It also fits better with Genesis 2: 17. God does not promise eternal life on the condition of obedience. He only warns that

40 For a similar criticism, but in combination with a defense of the covenant of works, see Irons, "Redefining Merit," 259–67. According to John Bolt, we need the covenant of works to maintain the legal character of the relationship with God. He claims that between love/grace and law exists no contradiction. See Bolt, "Covenant of Works," 184–89. Similarly, according to Muller, the fact that in the covenant of works stability of law and the grace of the new covenant can be combined, contradicts the accusation of legalism. Muller, "Covenant of Works," 95, 97, 99. However, too easily he forgets that the covenant of works makes the law fundamental to the God-man relationship. In his view, this relationship in its essence has a legal character (see, e.g., Van Asselt, *Federal Theology*, 254).

41 Barth, *Kirchliche Dogmatik* 4.1, 66. Beach denies that the covenant of nature implies a legalistic *quid pro quo* scheme, no sort of merit of condignity or congruity is operative. Still, merit *ex pacto* exists. Further, he cannot imagine "a divine/human relationship in which God's law has no role." *Christ and the Covenant*, 141. Like Beach also Mangold in this volume. According to Belcher, "salvation is by works, ... the works of Christ." Belcher, "The Covenant of Works", 70; further 77.

42 De Graaf, *Verbondsgeschiedenis*, 16–20; Wendt, "The Love of the Lord," 88, 98.

43 McGowan, *Adam, Christ and Covenant*, 77.

whoever eats from the tree of knowledge of good and evil will surely die. It is wrong to understand the relationship between Creator and creature in terms of merit, or the necessity of obtaining life by obedience. Instead, this relationship is characterized by love, by God's favour, and by inheritance.

Because the covenant of works defines the human destination and connects protology and eschatology, the eschatological outcome of history in Christ is read back into the beginning and the possibility of a surprising eschatological newness is excluded. However, in his love, God does more than could be expected based on his justice alone. The possibility should be left open that God, in his gracious love, finally gives unexpectedly and abundantly, more than could be predicted based on covenantal rules. In this case, the eschatological transformation in Christ is not determined by protology or by a covenant of works, but by God's gracious love, and thus by soteriology.

These problems concern the name and the character of the covenant (a covenant of *works*). Still, it can be suggested that we need some sort of pre-fall covenant (some kind of creation-covenant).⁴⁴ But more problems exist.

2. *The use of the word berit*: in the Hebrew text of Genesis the first time the word *berit* is used is in Genesis 6: 18. Does this imply that Genesis 6 tell about the first covenant, or do we find the idea of a covenant earlier in Genesis, although the word *berit* is not used? This question has generated a lot of discussion amongst Reformed theologians. From the beginning scripture clearly tells about a continuing commitment of God to his creation, foundational for the entire history of salvation, and confirmed in the covenant with Noah. Moreover, humanity is created in God's image and receives within the order of creation a position of *dominium* or stewardship. Further, God warns Adam not to eat from the tree of the knowledge of good and evil because when he eats, he will die. Paul attributes to Adam the position of head of humanity, which gives his disobedience a universal scope. Finally, in other texts in the Old Testament, a covenant is mentioned that might refer to a covenant with creation (Jer. 33: 20–21, 25–26; Hosea 6: 7). By themselves, these passages cannot serve as a foundation for a creation-covenant. Whether all this leads to the conclusion of the existence of a prelapsarian covenant, therefore, depends on one's concept of covenant and on the question whether all the elements in Genesis 1, 6 and 9 (the covenants with Noah) imply a covenant before the fall.⁴⁵

44 According to Bolt, "Covenant of Works," 185, much opposition is terminological.

45 Goldingay, Leder, Stek, and Williamson conclude that before the fall no covenant existed, because in their view a covenant guarantees a relationship in a situation that has become uncertain; see John Goldingay, *Old Testament Theology*, vol. 1: *Israel's Gospel* (Downers Grove: IVP Academic, 2003), 92, 181, 415; *Old Testament Theology*, vol. 2: *Israel's Faith* (Downers Grove: IVP Academic, 2006), 182, 184; Arie C. Leder, "Divine Presence, then the

3. *What is a covenant? The influence of voluntarism:* The doctrine of the covenant developed in a voluntarist climate in which many important relationships were understood as covenantal. In this model, a covenant establishes or is identical with the relationship. Relationality was conceived as an extra, added by a voluntary act of free subjects. Where western culture encounters the problem of individualism, the question has to be faced whether all these important relationships need to be understood as covenantal.⁴⁶

An alternative could be that personal relationships of love in a pre-fall situation simply exist without any problem or question. God and humanity are no “contracting parties,” and friendship does not need extra regulations in a covenant.⁴⁷ Without sin, there was no necessity to seal these relationships covenantally.⁴⁸ Relationality is just part of creation: God, who expresses his love in his creation, is lovingly related to his creation, and human beings are lovingly related to each other and with the entire creation. Only sin has made it necessary to reconstruct relations covenantally. According to Leder, all relevant covenants in scripture address “a problem in the divine-human relationship”

Covenants: An Essay on Narrative and Theological Precedence (Part Two),” in *Nederduitse Gereformeerde Teologiese Tydskrif* 54.3/4 (2013): 207–10; John H. Stek, “‘Covenant’ Overload in Reformed Theology,” in *Calvin Theological Journal* 29 (1994): 12–41; Paul R. Williamson, *Sealed with an Oath: Covenant in God’s Unfolding Purpose*, NSBT 23 (Downers Grove: InterVarsity, 2007), 52–58. Further Christopher J.H. Wright, *Knowing Jesus Through the Old Testament* (London: Marshall Pickering, 1992), 80.

Belcher writes that “several elements commonly associated with covenants are present in Genesis 1–3”. Moreover, Hos 6,7 “identifies Adam as a covenant breaker”. Belcher, “The Covenant of Works”, 64–67. According to Peter J. Gentry and Stephen J. Wellum, the language of ‘image of God’ (Gen. 1: 26–27) communicates within the Ancient Near East context the ideas of rulership and sonship. Without giving arguments, they identify such as a “covenant relationship.” *Kingdom Through Covenant: A Biblical-Theological Understanding of the Covenants* (Wheaton: Crossway, 2012), 190–202, 217, 613–16. Spykman understands all God’s dealings with creation as covenantal, also before the fall, see Spykman, *Reformational Theology*, 260–63. See further Bartholomew, “Covenant and Creation,” 20–30; William J. Dumbrell, *Covenant and Creation: A Theology of the Old Testament Covenants* (Carlisle: Paternoster, 2000), 11–46.

46 According to Stek, in the reformed tradition the ontic distance between Creator and creature has made it necessary to construe the nature of the God-humanity relationship as a covenant. However, “biblical covenants do not belong to the fundamentals of the God-creature relationship.” Stek, “‘Covenant’ Overload,” 15, 40; against Spykman, *Reformational Theology*, 257–59.

47 Turretin and Cocceius held a different opinion. See Beach, *Christ and the Covenant*, 106–19; Van Asselt, *Federal Theology*, 253.

48 Goldingay, *Old Testament Theology*, 1:181; 2:184.

and secure “the threatened relationship”.⁴⁹ In this proposal, a covenant regulates, directs or shapes an existing relationship.

Lee Irons sees the problematic influence of voluntarism, but tries to repair the concept of the covenant of works.⁵⁰ But do we have warrant “for employing ‘covenant’ ... as the central theological category for synthetic construal of the God-humanity relationship”?⁵¹ If sin makes covenants necessary, then it is the wrong conclusion to understand all important relationships before the fall as covenants. This would obscure the inherent relatedness of God’s creation. Is it even proper to ask the question as to the extent to which this voluntarist influence has contributed to the loss of transcendence (unrelatedness of God and man, of creator and creation) and to modern individualism (unrelatedness of human persons).

4. *The place of Israel*: within the threefold scheme of federal theology, Israel is easily forgotten. The law was already given to Adam before the fall, and the covenant of grace already began in Genesis 3. This evokes the question as to why Israel cannot be overlooked. The other possibility is that the covenant of Israel is understood as a republication of the covenant of works. In that case it becomes difficult to understand the existence of Israel as the consequence of the covenant of the promise and of grace made with Abraham.⁵² Israel only functions as the dark background of the new covenant. Thus, theology with a covenant of works easily fits within a supersessionist reading of scripture following what Kendall Soulen has called the (supersessionist) ‘standard canonical narrative’ of creation, fall, redemption in Christ, final consummation.⁵³

Enough reason exists to do a thought experiment: to imagine a theology without the concept of a prelapsarian covenant.

49 Leder, “Divine Presence,” 208. Cf. Stek, “‘Covenant’ Overload,” 39.

50 Irons, “Redefining Merit.”

51 Stek, “‘Covenant’ Overload,” 25.

52 According to Horton, “two different types of covenants form distinct riverbeds cutting synchronically through the same biblical history.” *Lord and Servant*, 150; further viii–xii, 159–60; Horton, *Covenant and Salvation*, 12–29. For a different view, see Van Genderen and Velema, *Beknopte gereformeerde dogmatiek*, 500.

53 R. Kendall Soulen, *The God of Israel and Christian Theology* (Minneapolis: Fortress, 1996), 16. See also Hans Burger, “Theirs Are the Covenants: Israel and the Covenant of Grace” (forthcoming).

5 Theology without a Pre-fall Covenant

A theology without a pre-fall covenant has to resolve the problems caused by the covenant of works and serve the justified theological interests that the covenant of works served as well. Sketching such a theology enables us to compare a theology with or without a covenant of works. The more convincing the proposal, the more probable it is.

1. Again: *what is a covenant?* When a *berit* or *diathèkè* is a relationship, or when they are constitutive for relationships, or when all God's kingly dealings with his creation are determined by a *berit* or *diathèkè*, then the thought experiment has failed.⁵⁴

Because the use of theological concepts have to follow and facilitate the understanding of biblical words, we need to be cautious about starting with a massive, uniform concept of *berit*. Not parallels with ancient Near Eastern sources, but careful exegesis of what we find in Scripture is decisive.⁵⁵ It is too easy to claim that *berit* always means relationship,⁵⁶ or obligation,⁵⁷ or that a *berit* always implies a promise,⁵⁸ or a self-maledictory oath,⁵⁹ or a reaction to a crisis.⁶⁰ A *berit* regulates, shapes, or directs a relationship, and making a *berit*

54 Bavinck, *Gereformeerde dogmatiek*, 3:211 / *Reformed Dogmatics*, 3:229; Spykman, *Reformational Theology*, 11–12, 257–59; Van Genderen and Velema, *Beknopte gereformeerde dogmatiek*, 363–64; cf. 366.

55 See Koert van Bekkum, “Biblical Covenants in their Ancient Near Eastern Context: A Methodological, Historical and Theological Reassessment” (in this volume, 43–78).

56 So e.g. H. de Jong, *Van oud naar nieuw: de ontwikkelingsgang van het Oude naar het Nieuwe Testament* [From old to new: The development from the Old to the New Testament] (Kampen: Kok 2002), 89–90. Kwakkel disagrees, see G. Kwakkel, “Verplichting of relatie: Verbonden in Genesis; Henk de Jong en zijn visie op het verbond” [Obligation or relation: Covenants in Genesis; Henk de Jong and his vision of the covenant], in *Verrassend vertrouwd: een halve eeuw verkondiging en theologie van Henk de Jong* [Surprisingly familiar: Half a century of preaching and theology by Henk de Jong], ed. Jan Bouma, Freddy Gerkema, and Jan Mudde (Franeker: Van Wijnen, 2009), 119, 128.

57 Ernst Kutsch, *Verheissung und Gesetz: Untersuchungen zum sogenannten “Bund” im Alten Testament*, BZAW 131 (Berlin: De Gruyter, 1973), 1–27.

58 John Murray, followed by McGowan, see McGowan, *Adam, Christ and Covenant*, 50, 54, 129–61.

59 Stek, “‘Covenant’ overload,” 39. Against Stek see Bartholomew, “Covenant and Creation,” 21–22.

60 Ed Noort, “Over-lijden en overleven: de verbondsvoorstellingen van de deuteronomistische scholen” [On suffering, passing away and surviving: The covenant representations of the deuteronomistic schools], in *Sleutelen aan het verbond: Bijbelse en theologische essays* [Engineering Covenant: Biblical and theological essays], ed. Ed Noort et al. (Boxtel: Katholieke Bijbelstichting, 1989), 7–11; Stek, “‘Covenant’ overload,” 39; and further 25, 37–41. Against Stek see Bartholomew, “Covenant and Creation,” 20–21, 23. Bartholomew

can, though it should not be, identical with its constitution.⁶¹ Like the different treaties of the European Union, the same relationship can be regulated by different successive *berits*.⁶² Although it is not necessarily the case, often the establishing of a new *berit* is a reaction to a situation of crisis to give renewed security in an unstable relationship.⁶³ In scripture, we see God adding covenant to covenant, sometimes simply as a consequence of covenants earlier made but often as a reaction to a question, a problem or a crisis.

If a *berit* is made, the relationship is not natural as with a relative.⁶⁴ This fits well with the idea that in the case of self-evident, natural relationships no covenant is necessary. Seen from the perspective of the Creator, Creator and creature just belong together.

2. *Ontology of love*: Michael Horton favours a covenantal ontology.⁶⁵ However, if covenant is not the basic ontological category but love, it is better to develop an ontology of love, an ontology of relatedness, an ontology of indwelling. Who stays in God's presence will live forever. In God's favour, we inherit eternal life. No *do ut des*, no works and merit. Sin, however, leads to broken relationships. Sin leads to uncertainty and to the mentality of a slave who hopes to deserve some favour again. But whoever sins against God, will die. Redemption, covenant and reconciliation are all aimed at restoring a relationship of love and mutual indwelling.

3. *Justice before the law*: in a voluntarist climate, justice is inseparable from law. But being created according to one's kind has moral implications. Obligations need not be separated from being. As Wolterstorff has shown in his theory of justice, being created implies rights and obligations. The Creator also has rights and creatures have their obligations over against their Creator. No

rightly denies this is always the case, but he does not see that more often than he acknowledges, a covenant is a reaction to a crisis. See Bartholomew, "Covenant and Creation," 23–26. Leder limits his claim to all covenants in the narrative of Genesis – Kings: they secure a "threatened relationship." "Divine Presence (Part Two)," 208.

61 Bartholomew, "Covenant and Creation," 22–23, 25, 27; Goldingay, *Old Testament Theology*, 1181; Gordon Paul Hugenberger, *Marriage As a Covenant: A Study of Biblical Law and Ethics Governing Marriage Developed from the Perspective of Malachi*, VTSup 52 (Leiden: Brill, 1994), 170–71, 174, 176–80; Kwakkel, "Verplichting of relatie," 119–20, 128; Gert Kwakkel, "Berith and Covenants in the Old Testament: A Contribution to a Fruitful Cooperation of Exegesis and Systematic Theology" (in this volume, 21–42); Williamson, *Sealed with an Oath*, 43.

62 Cf. De Jong, *Van oud naar nieuw*, 87–95; Kwakkel, "Verplichting of relatie," 129.

63 Cf. Goldingay, *Old Testament Theology*, 1181; 2:182–84; Leder, "Divine Presence (Part Two)," 208; Stek, "'Covenant' overload," 39.

64 Hugenberger, *Marriage as Covenant*, 171, 174, 180–81; Williamson, *Sealed with an Oath*, 39, 43.

65 Horton, *Covenant and Salvation*, 164–65, 182–215.

law or covenant is necessary to guarantee this justice.⁶⁶ Just being the Creator or being created implies rights and obligations. Thus, we can understand God's wrath and judgment over a sinful world in Romans 1 and 2 without any law or covenant. Law and covenant enlarge the problem of sin and God's wrath, as the Jewish people have experienced, according to Paul. But justice exists before the law or the covenant.

4. *Unity of humanity*: with John Bolt we can say that headship is non-negotiable. Both Van Andel and McGowan, however, have shown that the headship of Adam and Christ can be understood apart from the idea of a covenant. The idea of Adam's headship is crucial to understand the influence of sin. Nevertheless, the idea of headship is not sufficient to understand our participation in Christ. The mystical union with Christ implies a renewed indwelling in Christ and transcends the idea of headship.

5. *Position of humanity*: the role of humanity within creation, characterized as dominion or stewardship, is not dependent on a covenant of works although it does presuppose an ordered creation (just like 3 and 4). Still, it is important to emphasize this position, for it makes understandable not only the impact of sin on the entire creation, but also the longing of creation for the revelation of the sons of God. The restoration of humanity with Christ will lead to the cosmic restoration of the entire creation.⁶⁷

6. *Israel*: Abraham's children were meant to bring blessing to the peoples, to be a kingdom of priests and a holy nation. For that reason, they received the law first. Living in obedience to the law, they could be a blessing to the world. Their existence somehow was already part of God's promise to Abraham to restore his creation and to make undone Adam's fall.⁶⁸

Israel's sin with the golden calf, however, almost immediately made clear that Israel never would be able to fulfil this promise to Abraham. God gave more commandments, as a supervisor, until the promised seed of Abraham would come. As a result of Israel's disobedience, they had to face the curse of

66 Nicholas Wolterstorff, *Justice: Rights and Wrongs* (Princeton: Princeton University Press, 2008).

67 See e.g. N.T. Wright, *Paul and the Faithfulness of God*, Christian Origins and the Question of God 4 (Minneapolis: Fortress, 2013), 485–94.

68 Burger, "Theirs Are the Covenants"; Chr. Wright, *Knowing Jesus*, 36–39, 85–86, 92–93, 95; Christopher J.H. Wright, *The Mission of God: Unlocking the Bible's Grand Narrative* (Downers Grove: IVP Academic, 2006), 31, 191–263, 329–33; N.T. Wright, *Paul and the Faithfulness of God*, 495–506.

Kwakkel formulates more cautiously. See G. Kwakkel, "The Sinaitic Covenant in the Book of Exodus", in *Living Waters from Ancient Springs: Essays in Honor of Cornelis Van Dam*, ed. Jason van Vliet (Eugene: Pickwick, 2011), 28–34.

the covenant, the curse of the law. Instead of bringing blessing to the world, they suffered from a curse themselves.⁶⁹

7. *Salvation*: Jesus came to fulfil God's purpose with Israel. He is the true shepherd, the true vine, the true Son of God, the true Israelite. At the cross, he solved the problem of Israel by enduring the curse of the law (Gal. 3: 10–13). The curse of the law has to be understood not as the problem of humanity, but of Israel solely. The law was given to Israel as Israel's prerogative and problem, as Paul makes clear in Galatians 3 and Romans 2–3.⁷⁰ Having solved the problem of Israel, however, Jesus was able to fulfil Israel's purpose as well and to solve Adam's problem. As the seed promised to Abraham, he bore the curse to bring Abraham's blessing to the nations. Matthew shows Jesus as the true Israel, Luke shows Jesus as the second Adam, who stands where Adam fell. According to Paul, Jesus' obedience brings life where Adam's disobedience brings death (Romans 5). Jesus is the servant of the lord, who is made a guilt offering (Isaiah 53). Jesus bore the divine judgment of sin and was the true high priest for all the nations.⁷¹

This implies that the doctrine of atonement and salvation has to be reconstructed as a two-stage process: first, Israel is saved, so that, second, the world can be saved. The doctrine of atonement can be reformulated in relation to Israel and apart from the covenant of works. In his passive obedience, Jesus became the curse of the law for Israel, but also bore as Israel's representative the judgment for the nations. In his active obedience, he is the true Israel, a light to the nations, and as such the last Adam. We receive him, the new man, with his righteousness and holiness, to clothe ourselves with him.

8. *Eschatology*: the eschatological gift of salvation in Christ no longer has to be understood as the consequence of a covenant made in the beginning. Instead, the creative and abundant nature of God's love can be emphasized. In his love for his enemies, God does far more than what could be expected based on covenants or laws. He does new and unexpected things: he overcomes our evil with good and gives himself to us to invite us to share in his glory.

69 Scott W. Hahn, *Kinship by Covenant: A Canonical Approach to the Fulfillment of God's Saving Promises*, AYBRL (New Haven: Yale University Press, 2009), 62–83, 90–92; H. de Jong, *Vergeving: De kern van het christelijk geloof* [Forgiveness: The core of Christian faith] (Franeker: Van Wijnen, 2012), 9–12, 52–57; Kwakkel, "The Sinaitic Covenant", 35–39; N.T. Wright, *Paul and the Faithfulness of God*, 507–11.

70 Cf. Jacob van Bruggen, *Paulus: Pionier voor de Messias van Israël* [Paul: Pioneer for Israel's Messiah], CNT-3 (Kampen: Kok, 2001), 180–81; Hahn, *Kinship by Covenant*, 239, 248–56.

71 Chr. Wright, *Knowing Jesus*, 22, 44, 62–63, 125–35, 153–74, 182; Chr. Wright, *Mission of God*, 65–66, 286, 304, 325, 342–44; N.T. Wright, *Paul and the Faithfulness of God*, 511–37.

6 Conclusion

After an investigation of some historical backgrounds, this article gave an overview of the important theological functions of the covenants of works. Furthermore, the problems of this concept were analyzed. In a next step, a thought experiment was conducted. The conclusion of this article is that from a systematic-theological point of view, it is quite realistic to have a theology without the concept of a covenant of works. This experiment has not determined whether sufficient exegetical warrant exists for this concept. Exegesis still might falsify this conclusion. Still, if exegesis leaves us in uncertainty, the result of this thought experiment is significant. The ‘covenant of works’ is no indispensable concept.

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Conditions in the Covenant

Dolf te Velde

The doctrine of the covenant is a typical part of the history of Reformed theology. Shaped in several stages from the mid-sixteenth century until the early eighteenth century, Reformed federal theology saw a strong revival during the first half of the twentieth century. Not only in the later ‘vrijgemaakt’ churches following Klaas Schilder,¹ but also in the ‘hervormd’ part of the Dutch Reformed tradition (most notably Jan Gerrit Woelderink)² the historical and relational dynamics of the concept of the covenant were rediscovered.

These developments did not take place without debate. During the conflict in the Reformed Churches of the Netherlands that led to the ‘Vrijmaking’ of 1944, Schilder and his followers were accused of Remonstrantism, as it seemed that they made the fulfillment of God’s covenant promises dependent on the human obedience of faith.³ Even today, the doctrine of the covenant (and especially the role of conditions in the covenant) causes suspicion and controversy. This is evident, for example, in the relationships between several denominations

- 1 Representative statements of the ‘vrijgemaakt’ approach to the doctrine of the covenant can be found in A. Janse, *Leven in het Verbond* [Living in the covenant] (Kampen: Kok, 1937); K. Schilder, *Looze Kalk: Een wederwoord over de (zedelijke) crisis in de “Gereformeerde Kerken in Nederland”* [Whitewash: A reply to the (moral) crisis in the “Reformed Churches in the Netherlands”] (Groningen: De Jager, 1946); S. Greijdanus, *De openbaring Gods in het Nieuwe Testament over Zijn Genadeverbond* [God’s revelation in the New Testament concerning his covenant of grace] (Enschede: Meinema, 1946); J. Kamphuis, *Een eeuwig verbond* [An eternal covenant] (Haarlem: Vijlbrief, 1984). A comprehensive survey and analysis of Klaas Schilder’s theology of the covenant – reconstructed from a multitude of articles, pamphlets, lecture notes, and books – is provided by S.A. Strauss, *Alles of niks: K. Schilder oor die verbond* [All or nothing: K. Schilder on the covenant] (Bloemfontein: Patmos, 1986).
- 2 For a comprehensive survey of Woelderink’s thought on covenant and predestination, see H.J.C.J. Wilschut, *J.G. Woelderink: Om de ‘vaste grond des geloofs’; De ontwikkeling in zijn theologisch denken, met name ten aanzien van verbond en verkiezing* [J.G. Woelderink: For the firm foundation of faith; The development in his theological thinking, especially regarding covenant and election] (Heerenveen: Groen, 2000). Woelderink’s books *Het Doopsformulier* [The Form of Baptism] (1938), *De gevaren der doopersche geestesstrooming* [The dangers of the anabaptist spiritual movement] (1941), *De rechtvaardiging uit het geloof alleen* [Justification by faith alone] (1941) and *Belofte en werkelijkheid* [Promise and reality] (1945) found recognition and grateful reception among the ‘vrijgemaakt’ churches.
- 3 Cf. the references by K. Schilder, *Looze Kalk*, 52–54, and the subsequent discussion on the next pages.

in North America, some descending from British Presbyterianism with its doctrinal standards of Westminster, others standing in the Dutch tradition of federal theology as articulated by Schilder in particular.

Roughly speaking, the discussion of conditions in the covenant within the Reformed and Presbyterian traditions moves between two extremes. On the one hand, there is a strong emphasis on divine election as the source and governing principle of the covenant. In this approach, the unconditional character of election as coming from God's good-pleasure alone makes people cautious to speak of conditions in the covenant. On this view, the covenant is the external instrument by which God administers and executes his decree of election, while the actual efficacy of salvation that is promised in the covenant resides entirely on God's gracious operation and is limited to the number of the elect.⁴ On the other hand, we see positions that can be loosely grouped under labels such as 'Federal Vision' or 'New Perspective on Paul.' Here, a biblical-theological notion of the covenant is sustained in strong connection with the covenant God had established with the people of Israel. Several authors claim that the 'new covenant' of Jesus Christ is not a replacement but rather the fulfillment of the covenant with Israel. When it comes to the question of conditions, the positions with the Federal Vision movement seem somewhat ambiguous. On the one hand, covenant membership is defined with largely external identity markers which indicate that a person belongs to the people of God. On the other hand, the relation between what is traditionally distinguished as justification and sanctification is re-arranged such that the effective response and holiness of the believer is an integral part of his or her righteousness before God. On this view, the only condition for entry into the covenant is faith, while the conditions for staying on in the covenant include faith, repentance and ongoing works of holiness.⁵

4 The Dutch Reformed theologian Cornelis Graafland (1928–2004) devoted two major studies to what he perceived as the inherent tension between election and covenant in Reformed theology: *Van Calvijn tot Barth: Oorsprong en ontwikkeling van de leer der verkiezing in het Gereformeerd Protestantisme* [From Calvin to Barth: Origin and development of the doctrine of election in Reformed Protestantism] (Zoetermeer: Boekencentrum, 1987), and *Van Calvijn tot Comrie: Oorsprong en ontwikkeling van de leer van het verbond in het gereformeerd protestantisme* [From Calvin to Comrie: Origin and development of the doctrine of the covenant in Reformed Protestantism], 3 vols. (Zoetermeer: Boekencentrum, 1992–1996).

5 The label 'Federal Vision' is used for a theological movement that started (with a number of individual precedents from the 1980s onward) to be recognized since the 2002 Auburn Avenue Presbyterian Church Pastor's Conference (AAPCPC). Leading authors include Steve Schlissel, Douglas Wilson, Peter Leithart, James Jordan, John Barach, Rich Lusk, and others. After condemnations by several denominations in North America (RPCUS, OPC, PCA, URCNA), the movement seemed to lose its influence. Since January 2017, Doug Wilson no

The question of this paper is: How can Reformed theology develop a position on the issue of conditions in the covenant?⁶ I propose to answer this question in dealing with three more detailed questions:

1. What is the character and status of conditions in the covenant?
2. Of what specific conditions do we speak?
3. How are these conditions fulfilled?

1 Character and Status of Conditions in the Covenant

The fear of those who emphasize the connection of covenant and election is that by speaking of conditions in the covenant, salvation is made dependent on the human response of faith and obedience. There is some truth in this concern, since the historical position advocated by Jacob Arminius and the early Remonstrants did in fact introduce the condition of faith as the turning point from the general decree of election toward its individual application. This understanding of a condition as a semi-autonomous prerequisite for receiving God's grace does indeed contradict the radically absolute and irresistible character of the grace by which God saves us.⁷

The Synod of Dordrecht had to deal with the Remonstrant view and condemned it in its famous Canons. Although the literal term 'condition' occurs in the Canons only in the negative, referring to the Remonstrant understanding of faith and free choice as a preceding condition,⁸ the role of faith in receiving and appropriating salvation is constantly included in the statements of the Canons. The response of faith to the Gospel promise is the appropriate

longer associates himself with the Federal Vision. It stands as a matter of dispute whether the Federal Vision is substantially connected to the 'New Perspective on Paul' (James Dunn, Tom Wright, and others). A self-presentation of the movement is found in Steve Wilkins and Duane Garners, eds., *The Federal Vision* (Monroe: Athanasius, 2004). Guy Prentiss Waters has given a comprehensive analysis and critique of the movement in its early years: *The Federal Vision and Covenant Theology: A Comparative Analysis* (Phillipsburg: P&R, 2006).

6 This essay does not engage questions of biblical exegesis and of Ancient Near Eastern parallels for covenantal language in the Old Testament. On these questions, see the contributions to this volume by Gert Kwakkel and Koert van Bekkum.

7 On the theology of Arminius, see Richard Muller, *God, Creation and Providence in the Thought of Jacob Arminius: Sources and Directions of Scholastic Protestantism in the Era of Early Orthodoxy* (Grand Rapids: Baker, 1991); Eef Dekker, *Rijker dan Midas: Vrijheid, genade en predestinatie in de theologie van Jacobus Arminius (1559–1609)* [Richer than Midas: Freedom, grace and predestination in the theology of Jacobus Arminius (1559–1609)] (Zoetermeer: Boekencentrum, 1993); William den Boer, *God's Twofold Love: The Theology of Jacobus Arminius (1559–1609)*, RHT 14 (Göttingen: Vandenhoeck & Ruprecht, 2010).

8 Canons of Dort 1.9.10; Rejection of Errors 1.3.4.5.7; 11.3; V.1.

and indispensable implication of being elected and of receiving salvation in Christ.⁹

The Canons of Dort do not articulate a doctrine of the covenant. From the sixteenth century onward, however, Reformed theologians such as Olevianus, Ursinus and others had developed a basic notion of God's covenant with humankind that is arguably consistent with the doctrine of predestination expressed by Dort in opposition to the Remonstrants.¹⁰ My claim is that on the basis of the very notion of a covenant, a certain reciprocity and interaction between God and humans cannot be denied. Otherwise, the whole idea of a covenant would collapse, and what would remain is only the unilateral realization of forgiveness and renewal of humans from God's part. The Reformed doctrine of the covenant, however, typically acknowledges both an entirely unilateral aspect of the covenant (namely, the initiative and ground of its establishment on the basis of God's free grace alone), and a truly bilateral or reciprocal aspect (namely, the communion that is entertained in God's covenant with humans). In technical terms: the covenant of grace is monopoleuric in its origin, and dipoleuric in its continued existence.¹¹

The significance of this distinction is not limited to the temporal difference between beginning and continuation. It also points to a structural asymmetry between God and humans as the two parties in the covenant. It would be wrong and arrogant to treat God and humans as equal partners. In some

9 See, for example, Canons of Dort 1,12: assurance of election comes "by noticing within themselves (...) the unmistakable fruits of election pointed out in God's Word – such as a true faith in Christ, a childlike fear of God, a godly sorrow for their sins, a hunger and thirst for righteousness, and so on"; 11,5: "it is the promise of the gospel that whoever believes in Christ crucified shall not perish but have eternal life. This promise, together with the command to repent and believe, ought to be announced and declared without differentiation or discrimination."

10 On the early development of a doctrine of the covenant(s) in Reformed theology, see Jordan J. Ballor, *Covenant, Causality, and Law: A Study in the Theology of Wolfgang Musculus*, R5AS 3 (Göttingen: Vandenhoeck & Ruprecht, 2012); Lyle D. Bierma, *The Covenant Theology of Caspar Olevianus* (Grand Rapids: Reformation Heritage, 2005); D.A. Weir, *The Origins of the Federal Theology in Sixteenth-Century Reformation Thought* (Oxford: Clarendon, 1990); Stephen Strehle, *Calvinism, Federalism, and Scholasticism: A Study of the Reformed Doctrine of Covenant*, BSHST 58 (Bern: Peter Lang, 1988). In the present volume, the contributions by Daniël Timmerman (Reformed Catechisms), Pierrick Hildebrand (Heinrich Bullinger), Matthias Mangold (Johannes Braun), and Willem van Vlastuin (Wilhelmus à Brakel) are devoted to aspects of the history of Reformed federal theology.

11 At least since Ursinus' explanation of the Catechism the covenant is commonly defined as a 'mutual pact' (*mutua pactio*) or a 'mutual coming together' (*mutua conventio*). See Zacharias Ursinus, *Explicationes Catecheseos* (Neustadt: Widow of Wilhelmus Harnisius, 1598), 129.

modern statements, the covenant relationship seems to be understood in terms of equal partnership, in a way that deviates from classical Reformed formulations.¹² The fact that the covenant starts with a one-sided initiative on God's part continues to determine the substance of the covenant and the nature of the relationship between God and humans. Man is only invited into a covenant with God because God wills so. God is the only one who can start the covenant, He is the one who fills the covenant with his promises, and He is the only one who guarantees the covenant with his steadfastness through all our weakness and infidelity.

Within this framework of understanding, the language of conditions should be used in a way that keeps true to the absolute priority – both temporally and structurally – of God's sovereign grace. 'Condition' thus cannot mean an attitude or quality on which God's granting of his covenantal promises depends. It cannot mean a requirement that should be met on our part before God establishes his covenant with us. This is the decisive problem with the Arminian understanding of human faith as the condition on which the divine decree of election turns. In such an understanding, the condition to be met by human free choice becomes an independent causal factor that is at least partially responsible for the divine grace to achieve its goal. Against this independence, the Canons of Dort and Reformed theology around the Synod of Dort have maintained the unconditional nature of God's free election.

My intention is to define the covenant of grace in such a way that it is compatible with the doctrine of absolute predestination, where 'absolute' means that there is no prior condition in humans on which God's decree of choosing or rejecting them is based. 'Covenant' and 'condition' should be placed on the level of the execution of God's decree, on the level of the concrete interaction in which God's grace comes into our lives. As such, 'condition' can only mean that in the communication and communion into which God enters, our response is implied as a *sine qua non*, because God does not will to save us without bringing us to faith and love toward him. As Klaas Schilder noted, referring to older Reformed theologians, the sort of condition that comes into play is an 'accompanying condition' (*conditio concomitans*), an act or circumstance that is decreed by God to go along with the fulfillment of his gracious promise. In other words, speaking of conditions in the covenant indicates the specific connections established by God in making us participants of his grace.¹³ In this

12 This is arguably the case in Hendrikus Berkhof, *The Christian Faith: An Introduction to the Study of the Faith*, trans. Sierd Woudstra, rev. ed. (Grand Rapids: Eerdmans, 1990), 251–52.

13 K. Schilder, *Heidelbergsche Catechismus* [Heidelberg Catechism], vol. 2 (Goes: Oosterbaan & Le Cointre, 1949), 344. Cf. Strauss, *Alles of niks*, 183.

sense, by divine hypothetical necessity,¹⁴ the conditions belong to the constitutive elements of the covenant.

2 What Are the Specific 'Conditions' in God's Covenant with Mankind?

In the Early Reformed doctrine of the covenant, a basic distinction was developed between at least a covenant of works – also called the covenant of life – which God had established with Adam and Eve before the Fall, and the covenant of grace initiated by God after the Fall.¹⁵ The covenant of grace, in turn, can be divided into two administrations or dispensations, one pertaining to the Old Testament centered around the Mosaic law, the other belonging to the New Testament based on the salvation by Jesus Christ. In each of these stages or forms of God's covenant, a relation between a good that is promised by God and a corresponding attitude on the human side is posited in terms of a condition, and the difference in conditions is key to understanding the nature of each covenant.

Although the *Synopsis of a Purer Theology* of 1625 does not provide an explicit and elaborate doctrine of the covenant, it gives a helpful definition in terms of the difference between the Old and New Testament (*SPT* 23.6): "The

14 Reformed scholastic writers from the sixteenth to eighteenth centuries commonly employ a distinction between 'absolute' and 'hypothetical' necessity (also known as 'necessity of the consequent' and 'necessity of the consequence'). Something can be necessary by itself ('absolutely'); e.g., that God exists or that He is just. Something can be necessary also if it is dependent on a condition ('hypothetically' or 'conditionally'): If *x* is the case, then it necessarily follows that *y* is the case, while *y* in itself is only contingent. In this context, the condition is God's will. For example, the obligation or necessity of Sunday rest or of baptism depends on God's free will. God could have chosen any other day of rest (or none) and any other sacramental means of salvation. But given the fact that God has chosen this particular day or this particular sign of grace, we are bound to it and in that sense it is necessary for us.

15 This paper does not aim to evaluate the validity of the notion of the covenant of works as such, but merely assumes it as a structural element of the historical and confessional Reformed doctrine of the covenant. See the contribution by Hans Burger for a critical assessment of this notion, resulting in his proposal to develop a Reformed theology of the covenant without a 'prelapsarian covenant.' As indicated in the main text above, the relevance of the notion of the covenant of works for the question of conditions in the covenant is that both stages of God's covenant display a particular structure of promises and demands. The remainder of my essay focuses on the covenant of grace and the specific way in which the condition of faith functions here, as distinct from the condition of obedience in the prelapsarian covenant.

first of these is understood as teaching salvation that is promised on the condition ‘that you do all these things,’ while the second teaches that the same salvation is offered on the condition ‘that you believe.’”¹⁶

The *Westminster Confession of Faith* follows basically the same pattern, although it is more cautious when it comes to the covenant of grace.¹⁷ For the covenant of works, the condition is explicitly stated (WCF 7.2): “The first covenant made with man was a covenant of works, wherein life was promised to Adam; and in him to his posterity, upon condition of perfect and personal obedience.” For the second covenant, which was made by God after man had made himself incapable of life in terms of the first covenant, it is stated that God “freely offers unto sinners life and salvation by Jesus Christ; requiring of them faith in Him, that they may be saved, and promising to give unto all those that are ordained unto eternal life His Holy Spirit, to make them willing, and able to believe.” Remarkable features of this definition of the covenant of grace are, first, that it avoids the exact term “upon condition of faith,” while in fact paraphrasing it by “requiring of them faith in Him, that they may be saved”; second, that it seems to limit the promise of eternal life to those who are ordained or predestined. As to the first element, a related statement in the Larger Catechism (Q&A 32) is more straightforward in affirming that God offers life and salvation in Christ by “requiring faith as the condition to interest them in him.”¹⁸

If we take it as a common insight within the Reformed tradition that in the covenant of grace faith functions in the role of a condition, two further insights are implied. First, this faith is inherently connected to the promise of God which it accepts and embraces. Faith should not be understood as an independent human attitude or disposition, but as the response that is elicited by and rests on the promise of God’s grace. As such, the ground of a person’s

16 Dolf te Velde and Riemer Faber, eds., *Synopsis purioris theologiae / Synopsis of a Purer Theology*, vol. 1, *Disputations 1–23*, Studies in Medieval and Reformation Traditions 187 (Leiden: Brill, 2014), 581.

17 Even Engelsma, as a fierce critic of the Federal Vision, admits an “occasional use of ‘condition’” in the Westminster Standards. See David J. Engelsma, *Federal Vision: Heresy at the Root* (Jenison: Reformed Free Publishing Association, 2012), 39, 110–14. He qualifies as follows: “By condition the reformers and the Westminster standards have strictly in mind the necessary means by which God fulfills his covenant promise to the elect and thus realizes his covenant with them” (Engelsma, 39).

18 On the Westminster Standards and the theology of the covenants expressed in them, see J.V. Fesko, *The Theology of the Westminster Standards: Historical Context and Theological Insights* (Wheaton: Crossway, 2014), 125–67. His discussion makes it clear that the division into covenant of works (or nature) and covenant of grace was highly debated, in particular with respect to the Sinaitic covenant.

being in the covenant is not his or her act of faith, but the promise which is received in faith as an instrument. The Canons of Dort 1,17 explicitly state this in connection with the salvation of children who die in infancy: “the children of believers are holy, not by nature but by virtue of the gracious covenant.”¹⁹

Second, this priority of God’s promise even determines the character of faith and the way in which it functions as a condition. Faith is required by God in making his covenant with humans, and this appropriate response of our faith is, by virtue of the promise itself, indispensable for the covenant. Still, the fact that our faith lives exclusively from the promise in which God gives himself to us with the fullness of salvation means that faith remains fundamentally receptive even when it is active in embracing the grace of God and in being renewed after the image of Christ. As the Belgic Confession (art. 22) puts it: “we do not mean, properly speaking, that it is faith itself that justifies us – for faith is only the instrument by which we embrace Christ, our righteousness. But Jesus Christ is our righteousness in making available to us all his merits and all the holy works he has done for us and in our place. And faith is the instrument that keeps us in communion with him and with all his benefits.”

By this twofold qualification of the role of faith as a condition, it can be made clear that it does not contradict the unconditional character of God’s grace. At the center of the Reformed understanding of the covenant we find the thoroughly Reformational correlation between promise and faith.²⁰ Within

19 In the debates of the 1930s and 40s within the GKN (Reformed Churches of the Netherlands), the fundamental discussion was about the *ground* of the certainty of faith. Followers of Abraham Kuyper argued that for baptized children we can only *presume* that they are regenerated – and thus share in God’s covenant promise – until proven otherwise. The later ‘liberated’ opponents of Kuyper’s doctrine of presumptive regeneration appealed to the Statement issued by General Synod Utrecht in 1905: “that according to the Confession of our churches the seed of the covenant, *by virtue of the promise of God*, must be held to be regenerated and sanctified in Christ, until upon growing up they should manifest the contrary in their way of life or doctrine; that it is, however, less correct to say that baptism is administered to the children of believers on the ground of their presumed regeneration, since the *ground of baptism is found in the command and promise of God*.” J.L. Schaver, *The Polity of the Churches*, 3rd ed. (Chicago: Church Polity, 1947), 2.36 (my italics).

20 The correlation motif was developed – in a way that differed from Schilder’s theology, but probably in partial response to the debates around the Vrijmaking – by G.C. Berkouwer; see for a concise analysis H. Berkhof, “De methode van Berkouwers theologie” [The Method of Berkouwer’s Theology] in *Ex auditu Verbi*, by R. Schippers et al. (Kampen: Kok, 1965), 37–55, esp. 44–48. From a Lutheran perspective, Oswald Bayer advocates a correlation of promise and faith; see *Promissio: Geschichte der reformatorischen Wende in Luthers Theologie*, FKDG 24 (Göttingen: Vandenhoeck & Ruprecht, 1971), esp. 192–202 and

these communicative dynamics any separation between subject and object or between God and humans as two subjects is fundamentally excluded, because the mutual relation between promise and faith moves beyond the polarity of objectivity and subjectivity.

3 How Are These Conditions Fulfilled?

Does the language of conditions in the covenant endanger the absolute and unconditional nature of God's free grace? It would do so, if the fulfillment of these conditions lies in our hands. Then the realization of God's work of salvation would ultimately depend on human free choice.

The *Synopsis of a Purer Theology* expresses the twofold aspect of this matter in a brief statement about the New Testament which rests on the condition of faith: "God freely grants that condition so that whoever is justified fulfills it" (*SPT* 23.6). This formula implies that the condition of faith is in fact fulfilled or realized on the human side of the covenant, while at the same time this fulfillment does not stand by itself but is based in God's free gift of faith. Later on, the *Synopsis* gives a more detailed argument (*SPT* 23.29): "Furthermore, we do not say that the Gospel and the new testament demand no condition at all, for the condition of faith and new obedience (which is everywhere impressed on us) is demanded. But God provides these conditions freely, and their imperfect quality forms no hindrance to salvation (which flows from another source), so long as they are genuine."²¹

An intriguing issue in this connection is the question: with whom is the covenant made? That is, who is the proper subject of the covenant of grace on the human side? The Reformed tradition that is codified in the Westminster Confession tends to speak of Christ as not only the Mediator but also the Head of this covenant. One implication is that the believers belong to the covenant through Christ as their representative, but the further consequence is that the covenant of grace is closely related to the covenant of redemption (*pactum salutis*), and, by that, to God's eternal election. While avoiding an explicit identification of the members of the covenant with the number of the elect, the

262–73; cf. also his more concise and constructive statement in *Martin Luther's Theology: A Contemporary Interpretation*, trans. Thomas H. Trapp (Grand Rapids: Eerdmans, 2008), 41–58.

21 Te Velde and Faber, *Synopsis*, 581, 597.

Westminster Confession clearly tends toward such an identification, and to limiting the benefits of the covenant to the elect.²²

By contrast, the ‘vrijgemaakt’ tradition of Schilder and others acknowledges the central position of Jesus Christ as the Mediator of the covenant, to the effect that the salvation which is promised and given in the covenant is exclusively grounded in his mediatorial work. At the same time, however, the believers and their children are addressed as the proper human subjects of God’s covenant of grace. For this reason, Schilder refuses to call Christ the Head of the covenant. Though even this inclusion into the covenant cannot be separated from our being united with Christ – Schilder admits that Christ can rightly be called the Head of the covenant members – it gives a significantly different approach when it comes to the question of the realization or fulfillment of God’s promises.²³

In the *Form for the Administration of Baptism*, it is explained that believers and their children receive the promise of the Triune God.²⁴ I would suggest that the strongly Christological focus of the Westminster understanding of the covenant of grace needs to be supplemented by an equally strong emphasis on the work of the Holy Spirit in appropriating and effectuating the promise of salvation in the hearts and lives of the believers. As the *Baptism Form* puts it: “When we are baptized into the Name of the Holy Spirit, God the Holy Spirit assures us by this sacrament that He will dwell in us and make us living members of Christ, imparting to us what we have in Christ, namely, the cleansing from our sins and the daily renewal of our lives, till we shall finally be presented without blemish among the assembly of God’s elect in life eternal.” The promise is not just a constative declaration of an eternal state of affairs; in the promise God commits himself to fulfilling it. From a pneumatological perspective, the interplay between the decisive divine initiative of bestowing his grace on us and the required and appropriate response of our faith and obedience can better be accounted for than in a predominantly Christological approach.

22 See, most recently, the two monographs by J.V. Fesko: *The Covenant of Redemption: Origins, Development, and Reception*, RHT 35 (Göttingen: Vandenhoeck & Ruprecht, 2016); *The Trinity and the Covenant of Redemption* (Fearn: Mentor, 2016).

23 Cf. Strauss, *Alles of niks*, 122–26.

24 The Form can be found on the website of the Canadian Reformed Churches: <http://www.canrc.org/?page=42> (accessed August 17, 2017).

4 Conclusion

To conclude, I would state that the opposition of ‘conditional’ and ‘unconditional’ in the doctrine of the covenant creates an unnecessary and unfruitful dilemma. In a crucial sense, the grace of God that constitutes the covenant is unconditional, and this character continues to determine all further aspects of the structure and the contents of the covenant. At the same time, God’s grace is made manifest in a concrete path of faith, repentance and renewal that is instrumental in allowing us to share in the salvation promised by God. A powerful quotation from Klaas Schilder expresses this well. Schilder wrote these words near the end of his life, against accusations brought forward in the Declaration of Principles of the Protestant Reformed Churches in America, a denomination headed by Schilder’s former ally Herman Hoeksema.²⁵ To the strict denial of any conditional element in God’s promise, Schilder replied:

If you mean by ‘condition’ something that would bind God, then we state unconditionally: unconditional it should be! If you mean by ‘condition’ something God should wait for before He can proceed, then we state unconditionally: unconditional it should be! If you mean by ‘condition’ something we should fulfill in order to earn some merit, then we state unconditionally: unconditional it should be! If you mean by ‘condition’ something which God has connected to some other thing, to make it clear for us that one thing cannot come without the other, and that we cannot be certain of the one thing unless we are at once assured of the other, then we state unconditionally: conditional it should be!²⁶

25 The Declaration of Principles is found in Protestant Reformed Churches in America, *The Confessions and the Church Order of the Protestant Reformed Churches* (Grandville: Protestant Reformed Churches in America, 2005), 409–31. Herman Hoeksema explained his view of the covenant in *Believers and their Seed: Children in the Covenant* (Grand Rapids: Reformed Free Publishing Association, 1971).

26 K. Schilder, *Bovenschriftuurlijke binding – een nieuw gevaar* [Extra-Scriptural Binding: A New Danger], 14:

A. Bedoelt U met „voorwaarde“: iets, dat God binden zou? Dan zeggen wij onvoorwaardelijk: „onvoorwaardelijk zij de leus!“

B. Bedoelt U met voorwaarde: iets, waarop God wachten moet, eer Hij verder kan gaan? Dan zeggen we onvoorwaardelijk: „onvoorwaardelijk zij de leus!“

C. Bedoelt U met voorwaarde: iets, dat wij vervullen moeten, om er mee te verdienen? Dan zeggen we onvoorwaardelijk: „onvoorwaardelijk zij de leus!“

D. Bedoelt U met voorwaarde: iets, dat God aan iets anders vastgekoppeld heeft, om ons duidelijk te maken, dat het ééne niet komen kan zonder het andere, en dat wij van het ééne niet zeker kunnen zijn, tenzij meteen van het andere wij verzekerd zijn geworden? Dan zeggen we onvoorwaardelijk: „voorwaardelijk zij de leus!“

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The Meaning of ‘Covenant’ in Educational Practices

Towards a Framework for Qualitative Research

Bram de Muynck

The Lord confides in him who fear him; he makes his covenant known to them.

Psalms 25: 14



1 Introduction: The Concept of Covenant in the Dutch Reformed Tradition

When the word covenant is used, it may sound like a juridical, doctrinal term. Its meaning, however, expresses rather relational tones. The editors of this volume emphasize the fact that biblical covenants give insight into the lasting relationship of God with his people. If a covenant indicates formal aspects, they refer to a regulation that shapes or directs the relationship. The word ‘relationship’ is prominent in all descriptions. Bible passages sometime show important connotations of the concept that are far from formal. In Psalms 25: 14, for example, the covenant is pictured as an expression of an intimate relationship. The phrase “the Lord confides in those who fear him” is put next to “He makes his covenant known to him.”¹ Assuming that the parallelism in this verse discloses an important meaning, it can be said that God reveals a secret to man and does so by offering friendship. Intimacy is a characteristic of the link between partners being brought in a covenant. This is shown in the stories of the patriarchs in the Old Testament. The first time the word covenant is used in the Bible, God claims the life of Abraham. But He does this with great intimacy. As a friend, He gives a promise. How strange it might sound to modern ears, this promise connects to a claim in a way that does not disturb the

1 NIV.

intimacy. In the life of Abraham we also see that something remains hidden. There is a promise that will only be disclosed during a pilgrimage, not only for himself, but also for his offspring.

In this article I explore how notions of the covenant, as understood in Dutch Reformed tradition, is communicated in family life. The question at the background of the article is whether we could find notions of intimacy that go along with covenant in current educational practices.² I develop a framework in what follows that offers help in empirically answering two questions. The first is whether experiences of the parent-child relationship influence the child's experience of the covenant. The second is how theological ideas in which parents were educated shape their educational practices. When we explore these questions three problems appear. The first is historical: the gap between biblical times and the modern age is immense, and similarly this will be the case in ascribed meanings to the word covenant.³ When we want to measure current understandings of the covenant by Christians we have to contend with the effective history of the concept through the ages. The second problem is a hermeneutical one that has to do with the character of family life in contrast to the God-men relationship. How the covenant is experienced in family life as an educational practice is not a matter of individuals. Fathers, mothers and children can each have their own spiritual experience of the covenant with God, like Abraham, Sarah and Isaac could have had. But lived spirituality is also a collective experience. It might, therefore, be problematic to distinguish between individual and collective dynamics. The individual experience cannot function without the experience of the interactions with other family members. In one or another way the individual covenant experience will be mixed up or compared with the experienced interactions. In the framework to be developed we have to notice both realities. The third problem is the methodological question as to how to perceive the complex dynamic of covenant experience. If we could, we should at least focus on qualitative instruments like open interviews or observations. Confining ourselves to those methods also helps us to solve the first and second mentioned problems. The historical and hermeneutical problems can be reckoned with if we practice maximum openness to major differences in meaning with the past. Carefully listening to

2 In this paper 'educational practice' is mainly understood as the upbringing of children in family life, but can in essence also be applied to other educational contexts, like school and catechism classes.

3 I will leave out any discussion concerning whether the so-called two sides of the covenant as illustrated in the *Form for the Administration of Baptism*, as used in reformed churches, are adequately underpinned by its references to the Old Testament.

all partners in the educational process, both parents and children, will help to unravel the complexity of human experiences.

We have not found empirical research data about the experience of the covenant at all. Insight into how the concept of covenant functions in educational practice would be of interest not only to fill a knowledge gap, but also to help pastors to respond accurately to the needs of their congregants. This paper aims to structure some theoretical concepts to be used in an empirical study in the experience of covenant in Christian families that adhere to Reformed churches. The problem to be explored is: what categories concerning covenant should be distinguished beforehand if we would perceive the experience of the concept in family life in a qualitative research design. I start by outlining two traditions within the Reformed tradition. These traditions reflect the effective history of the idea of covenant in Dutch Reformed theology in the previous ages and their impact on spiritual life. Thereafter I summarize theoretical notes concerning how the covenant can be communicated in an educational context. Then I bring the thoughts together in a framework for a practical theological research design. I conclude with some remarks about the meaning of the proposed research.

2 Conditional and Unconditional Understanding of Covenant

Some important aspects of the content of Reformed thinking can be derived from the Catechism of Heidelberg (Q/A 74).⁴ I deliberately take this Catechism as a main source because it is – in the Dutch context – regarded as a doctrinal

4 Henk van den Belt, states that this Q/A has to be seen as a response to the Anabaptists, who deny the need for the baptism of children. See Henk van den Belt, "Anabaptist spirituality and the Heidelberg Catechism," in *The spirituality of the Heidelberg Catechism*, ed. Arnold Huygen (Göttingen: Vandenhoeck & Ruprecht, 2015), 50–61. The Catechism can be seen as an educational source in itself. The background of this work can be summarized as follows. Through baptism children are *in* the covenant and as members of the church they learn to confess the main content of the doctrine. The Form for the Administration of Baptism, read in most of the Dutch Reformed churches in the Netherlands during baptismal services, has the same aspects that I derive from HC, Q/A 74. See Wim Verboom, *Kostbaar en breekbaar. Zondag 1 in catechismuspreken door de eeuwen heen* [Precious and vulnerable. Sunday 1 in catechism preaching through the ages] (Zoetermeer: Boekencentrum, 2013), 21–22. Important to mention is the fact that this form structures the promise along the lines of the Trinity. Being baptized in the name of the Father means the assurance of long life care. Baptism in the name of the Son means that one possesses what Jesus through His death acquired for His children. And being baptized in the name of the Holy Spirit means that one can be sure that the Spirit will guide us as a teacher and comforter.

framework that reflects the covenantal structure of the church. Question and answer 74 is the only part of the Catechism dedicated to the covenant.⁵ The question “should infants, too, be baptized?” is answered with these words:

Infants as well as adults belong to God’s covenant and congregation. Through Christ’s blood the redemption from sin and the Holy Spirit, who works faith, are *promised* to them *no less* than to adults. Therefore, by baptism, as sign of the covenant, they must be *incorporated* into the Christian church and distinguished from the children of unbelievers. This was done in the old covenant by circumcision, *in place of which* baptism was instituted in the new covenant.⁶

This text contains the following important aspects. First: children are incorporated within a greater body. This is expressed in the words ‘belong to God’s covenant and congregation’ and ‘incorporated in the Christian church.’ Belonging to the greater body is seen as a continuation from Israel to the church of Christ.⁷ This I will call the aspect of ‘belonging.’ Second: children are promised redemption from sin and of the Holy Spirit. This aspect I will call the ‘promise.’ The promise of the covenant is that of purification/justification and that of a renewed life. Third: the children are said to be set apart. They are ‘distinguished from the children of unbelievers.’ This aspect of ‘election’ conveys the message of the membership of a particular group.⁸ Fourth: the implication of the words “no less than to adults” is that from the perspective of the promise there is equality in the position of children and their parents. This I will call the aspect of ‘equality.’

Studies in the history of the Reformed churches in the Netherlands, as well as sociological studies, discern a spectrum of spiritual traditions.⁹ How the

5 Although Q/A 74 is the only explicit reference to the covenant, the Catechism of Heidelberg is exemplary for the tradition of early reformed catechisms in which the covenant is a structuring element, as shown by Daniel Timmermans in his contribution to this volume, ‘Covenant as Structuring Principle in Reformed Catechisms.’

6 Translation in English from <http://www.heidelberg-catechism.com/pdf/lords-days/Heidelberg-Catechism.pdf>, accessed March 8, 2017, (my italics).

7 Cf. Donald Cobb’s contribution to this volume.

8 Reasoning out of the unconditional this aspect could be seen as problematic (and similar to the aspect of belonging), because in that position being elected is equal to belonging to the congregation of believers, the visible body of Christ. From the perspective of the other position, election would mean to be part of the invisible circle of believers.

9 Cornelis Graafland, *Van Calvijn tot Comrie: Oorsprong en ontwikkeling van de leer van het verbond in het Gereformeerd Protestantisme* [From Calvin to Comrie: Origin and development of the doctrine of the covenant in Reformed Protestantism], 3 vols. (’s-Gravenhage:

aspects mentioned above are connected differs. The traditions can roughly be summarized in two main streams. The first one believes that children are really part of the church, which means that in essence they can be sure of all the promises that are affirmed in baptism. This doctrine places church members in a firm position. For spiritual life this means that one can, without doubt, be assured by the idea of the covenantal relationship. Because covenant is viewed as an effective reality, I will call this the unconditional position.¹⁰ The second position is conditional. It says that, though in essence a baptized member belongs to the church, the promises can only be effective in case of empirical proven rebirth and conversion.¹¹ The covenant cannot be experienced as such but depends on what will happen in the spiritual life of the believer. Once one actually feels renewal of the heart, the covenant becomes effective. Since in this thinking the experience of salvation affirms election and the subjectivity conditions the reality of the covenant, I will call this the conditional position. One can imagine that these different traditions affect the experience of the covenant in family life. Let me explore this in more detail by looking at the ways in which communication takes place.

3 Communication in Family Life

People communicate with each other in different ways. There are many aspects and dynamics of human interaction, however I will restrict my exposition to two kinds of communication and will apply this to our topic. The famous communication scientist Wadzlavick (1921–2007)¹² distinguished

Boekencentrum, 1992–1996); Verboom, *Kostbaar en breekbaar*; Gijsbert van den Brink and Kees van der Kooi, *Christelijke dogmatiek: Een inleiding* [Christian Dogmatics: An introduction] (Zoetermeer: Boekencentrum, 2012).

10 I have made this distinction for reasons of conceptual clarity. We could also frame this as a dimension with two extreme positions. In the unconditional tradition one also generally assumes that the covenant requires faith and obedience. Taking the unconditional position does not imply an attitude of indifference. On the other side, in the conditional tradition it is said that God has given an objective sign of the covenant which implies a serious interest or even claim for the salvation of the baptized person.

11 Regeneration in this stream has become the core of its theological stance, see Wim Verboom, "Regeneration according to the Heidelberg Catechism," in *The spirituality of the Heidelberg Catechism*, ed. Arnold Huygen, 108–18. (Göttingen: Vandenhoeck & Ruprecht, 2015).

12 P. Wadzlavick, J.B. Bavelas, and B.B. Jackson, *Pragmatics of Human Communication: A study of interactional patterns, pathologies and paradoxes* (New York: Northon & Company, 1967).

between the content and the relationship aspects of communication, which are present in every human interaction. Explicit messages are given verbally. But within the words or under the words implicit messages are given. Those messages have their roots in how the speaker wants to be understood and how he views himself in relationship to the hearer. They are therefore called relationship-messages. An important detail is that relationship aspects classify the content aspects. Therefore we have to see these messages as meta-communication. Because they direct what really happens between persons, they are also called the command-aspect of communication. Parents and children communicate at both levels. If we would try to measure how the idea of covenant is communicated in educational practice, we would have to look at both levels. Graafland, a Dutch theologian of the second half of the twentieth century, started his book about Covenant by writing about his parents having conversations about the issue of the so-called two-covenant approach and the three-covenant approach. He concluded by saying: "... I am from my early age familiar with the secrets and cockles of the Reformed doctrine of covenant."¹³ He concluded this from all the messages he heard on the content level. At the same time he observed in his own environment, little attention for the covenant.¹⁴ He then concluded that he feared that this was not only the case with explicit references to the covenant, but that he had the impression that "the spiritual fullness and reality of the covenantal communication with God ... does not flourish."¹⁵ Phrased in words we used earlier in this section: when the experience of the covenant does not flourish, it means that there are no positive covenant messages given at the meta-communication level. In the next section I will propose a few thoughts about how the covenant is communicated in the parent-child relationship and how it might affect both the experiential landscape of the educators and the developing young person.

4 The Pedagogical Relationship

In educational practice we can speak about covenantal communication between parents and children. In one way or another, this can reflect the images of the God-man covenant. Before I start to reflect on communication in family life, I have to stress that we cannot state a one-to-one relationship between human communication and its effect on individuals on the one hand

¹³ Graafland, *Van Calvijn tot Comrie*, 1:8.

¹⁴ Note that I am referring to a book published in 1992.

¹⁵ Graafland, *Van Calvijn tot Comrie*, 1:9.

and communication of God and man on the other hand. There are significant differences that I will mention later. I will first look at the educational literature to highlight the few parallel aspects of the covenant that we can discern in educational practice. First of all: a child is born in a *given* relationship. He or she did not choose it, but in the relationship he or she is fully dependent on the willingness of the parent to care. He/she is born in an undeniable bond of loyalty. The ethical implication is that parents are obliged to care, which in most countries is formalized in civil law. Boszormenyi-Nagy calls the parent-to-child relationship an existential asymmetrical one.¹⁶ It is *existential* because the parents have given life to the child, which is an irreversible fact. The relationship is *asymmetrical* because the balance of rights and obligations is unequal. The parents have the obligation to care, the child is dependent on this care. To harmonize this inequality, the child, in turn, will care for his/her own child, if he/she would have or get any. He/She received something he/she gives to the next generation. The existential relationship implies invisible loyalties from children to parents. When something goes wrong (for example, in the case of child abuse the child will retain a deep sense of loyalty towards his parents. Secondly: the child is placed in a *helpless position*. De Ruyter¹⁷ frames each educational relationship as a relationship with a covenantal intent. "The helplessness of the child shows the need that parents make a covenant with the child, by which the child as a child-of is secure."¹⁸ Note that De Ruyter uses the concept of the covenant with a pedagogical concern. He distinguishes three aspects: the educator acknowledges the equipment of the child, the educator respects the child as a person, and the educator is loyal to the child as far as the child needs the educator. Normally, the child will view the covenant as self-evident, but nevertheless things can change. A parent can decide not to ally him/herself with the child, because he/she is not able to educate the child. Parents break the alliance in the case of abuse, by which the child's obligation to be subject is damaged. The child has become an object of parental lusts.¹⁹

The normal parent-child relationship in this conceptualization can be seen as a covenantal relationship which potentially has similarities with the Godly

16 I. Boszormenyi-Nagy, I. and G.M. Spark, *Invisible loyalties: reciprocity in intergenerational family therapy* (New York: Brunner, 1984).

17 Piet de Ruyter, *Stagnerende opvoeding en hulpverlening* [Stagnating education and care], in *Handboek voor orthopedagogiek* [Handbook of special education], ed. R. De Groot et al. (Groningen: Wolters Noordhoff, 1987); Piet de Ruyter, *Een algemene orthopedagogiek: Een verhandeling over hulpverlening wanneer opvoeding stagneert* [A general theory of special education: A discourse on care when education stagnates] (Antwerpen: Garant, 2015).

18 De Ruyter, *Handboek*, 8.

19 De Ruyter, *Handboek*, 8; De Ruyter, *Orthopedagogiek*, 344–45.

covenant as described in Reformed theology. Comparing the two conceptions, there is only one of the four aspects I derived from the Heidelberg Catechism Q/A 74 (belonging, promise, election, equality) that has an almost equivalent meaning of how covenant is pictured pedagogically, namely ‘belonging.’ As in a child-parent relationship one is acknowledged, respected and one can trust the other’s loyalty; in the God-man relationship a person can be sure of the loyalty of God. At first glance there are also similarities in the aspects of promise, election and equality. Good parents often express high expectations for the future (they communicate promises). Good parents also act for their children in preference to others (they communicate election). Good parents also feel a sense of equality, because they are both creatures of God.

These three aspects also contain significant differences that must be mentioned, because they give clarity about the uniqueness of the covenant with God and the limitations we have to contend with in the next section. To begin with: the promises for the Godly are of a different character. They speak about forgiveness of sin and a pure life (like ‘I promise you eternal salvation’) instead of promises in a general sense (like ‘I promise to take care of you as long as I live’). The election also has a different quality because it is not the election that comes from the obligations of the parents, but of free grace. The relationship between parents and children is natural in character, whereas an election relationship lacks this natural character. It is impossible to frame a parent-child relationship as a covenant as is possible, for example, for a marriage. Further, the equality is valid with regard to creation but not with regard to the asymmetrical educational position. Moreover, man is placed in a chain of generations, which implies a continuity between parents and children. Parents are educated by the preceding generation and in turn, they are obliged

TABLE 1 The God–man relationship and human relationships: similarities and differences

	God–man	Parents–children	Differences seen from the God–man perspective
Belonging	Loyalty	Loyalty	Forgiveness/purity instead of ‘being as such’
Promise	Grace	Expectation of the future	Grace instead of obligation
Election	Chosen	Preference own children	One side directed instead of intergenerational
Equality	Adults and children	Creatures	Creature position

to educate their children. There is an intergenerational dynamic. Contrarily, in the God-man relationship, each individual has a unique connection with God. The God-man relationship has a double discontinuity due to creation (God created man) and fall (man was distanced from God by sin).

5 Educational Implication of Doctrinal Positions

Because man cannot experience God's communication exclusively separated from restricted human perception, we must assume a relationship between the way the covenant is experienced spiritually and the way children perceive the relationship with their parents. In this section I try to apply what we have learned so far concerning the experience of covenant in educational family-relationships. I firstly discuss what can occur at the content level and subsequently what could be observed at the relationship level.

5.1 *Verbal Communication: Content Level*

The doctrinal convictions of parents can be verbalized very explicitly. This also applies to the four covenant aspects I derived from HC Q/A 74 (belonging, promise, election and quality). They can be verbalized in different ways. In family life, messages about the covenant will be given when one speaks *about* God (conversations about sermons, catechism classes, conversations held in youth groups) and how one speaks *to* God (during prayers). Next, verbal messages are given when children are *explicitly addressed* concerning their relationship with God (for example, 'God loves you') or concerning their existence as such ('you mean a lot to me'). With regard to the latter, the experience will often be undefined: young children will not distinguish between the phrase 'you are loved' and 'you are beloved by God.' It can also be expected that the richness of verbal messages varies among the differences in family cultures. In extrovert cultures much will be spoken; in introvert families there is little communication at the content level.

What differences may we expect when measuring communication in families adhering to the two spiritual traditions? From doctrine to practice, I would expect that in the unconditional tradition, parents say things to convey the message that the child is safe in this life and in eternal life. In the conditional tradition, parents will communicate that something still needs to happen before one can really be securely confident in their own eternal life.²⁰ These

20 For example, children are taught to pray for a new heart throughout their whole childhood. In sermons there may be expressions such as: 'something must happen in a person's

messages would evoke feelings of expectations about something one does not yet know but might occur.

5.2 *Non-verbal Communication: Relationship Level*

With regard to the communication level, I will distinguish between the perspective of the parents and the perspective of the children. Regarding to the *parents*: they can communicate the four covenant aspects (belonging, promise, election and quality) in daily messages in any way non-verbal communication occurs: in looks, gestures, embraces, laughing, humor, etc. Regarding *children*, how do they experience the four covenant aspects? I assume that messages are mostly received in meta-communication rather than at the content level. As a child you generally would not actually say that you trust your father, that you believe his promises, that you feel accepted, acknowledged and respected. But reading between the lines you feel that your father or mother wants you to perceive accordingly. On the relationship level you know yourself in a covenant position, or not.

TABLE 2 Two levels of communication

Aspect	Verbal (content)		Non-verbal (relationship)	
	Speaking about God to the child	Speaking to God in presence of the child	Messages of the parents	Perceived messages (by the child)
Belonging				
Promise				
Election				
Equality				

life.' Content messages are also about the need to know the ways of the Lord cognitively before one can really experience the work of the Spirit. The emphasis is on cognition. The doctrinal messages are in the here and now. The messages about the experience of the heart are about the unknown future in which something might happen, but one cannot be sure about it. See Nicolette Hijweege, *Bekering in bevindelijk gereformeerde kring: Een psychologische studie* [Conversion in experiential context: A psychological study] (Kampen: Kok, 2004); Bram de Muynck, *Een goddelijk beroep: Spiritualiteit in de beroepspraktijk van leraren in het orthodox-protestantse basisonderwijs* [A godly vocation: spirituality in vocational practice of teachers in orthodox Protestant primary education] (Heerenveen: Groen, 2008).

5.3 *Effects of Verbal and Non-verbal Communication*

Apart from non-verbal experiences, we might observe the *effects* of the content and 'reading between the lines' communication. Conceivable influences in the shorter and longer term relate to core elements of personal identity like basic trust (can I be safe when I am depending on people I do not control), self-reliance (can I trust myself to be effective in what I do) and expectations about the future (is what will happen contingent or providential). There is, however, a significant problem with measuring effects. They could possibly be measured in communication by video-recordings. But that would not make sense from a pedagogical perspective, because what counts is that the immediate effect on the child is not always the same as how identity will develop. I assume that effect can be measured more reliably after adolescence, when identity has reached a mature stage.

5.4 *Tensions*

I will not consider further the measurability and the potential effects of communication (which has to be done in a methodological section of a research report), but will conclude with one important remark regarding the power of non-verbal communication. As stated before, messages at the two levels can conflict, but it may be the developing person doesn't notice a conflict at all. An important outcome of empirical research could be whether, and how, these tensions occur. Perhaps we can get indications of which conditions they occur under and of how intense tension affects the identity development of children. Considering what we know about our two aforementioned traditions, we can expect two kinds of tensions.²¹ In the unconditional tradition the two kinds of messages could conflict as follows: At the content level it is expressly stated: 'you are a child of God' and non-verbally the opposite is communicated. In the conditional tradition, verbally it may be communicated: something still has to happen in your life, up to this moment you are not safe, not during your lifetime and not for eternal life. At the non-verbal level, however, all elements that belong to covenant spirituality may be communicated: belonging, promise, election and quality, etc. The tension evokes a mental splitting of the content level and the relationship level. What the developing person receives at the relational level will be cognitively framed.²² Further on in development,

21 As the research is intended to be qualitative, I am not restricting the findings to strict positions. Contrarily a variety of in between positions can be expected.

22 That may result in what I have called the meta-cognitive framing of experience, see De Muyck, *Beroep*, 401.

a person may also feel the necessity to split between the Godly-spiritual level and the human-interaction level.

6 Concluding Remarks

In this paper I have constructed a conceptual framework consisting of two levels that are effective in communication (content messages and relationship messages). In addition, I have discerned four elements at the core of Reformed thinking about the covenant. This framework can be applied to research in educational practice in the two traditions I have discerned: the unconditional tradition and the conditional tradition. I conclude with a methodical remark. Empirical research might suggest that one can discern patterns or even rules about how doctrines are transmitted into spiritual practices. I have to emphasize that patterns – if found – do not predict what happens in each individual case. If a way of speaking, behaving, experiencing has become a cultural trait, it does not mean that an individual – living in that particular culture – is a proper representative of that culture. Everyone has his or her own ways of coping with their cultural environment. And the way this is done seldom reflects accurate patterns that we can discern in a tradition. This is important to note, because my aim is to use the data pedagogically, which means that knowledge of patterns must be used for the benefit of developing persons. And striving to determine how precise development occurs in an individual's case must be excluded from educational reasoning.

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PART 4

Concluding Reflections



Covenantal Theology: Risks and Chances of a Controversial Term

Georg Plasger

“He remembers his covenant forever, the word that he commanded, for a thousand generations” – these are the words Psalms 105: 8 uses in the English Standard Version. This very Psalm 105 has been and is still sung in many Reformed churches – and the term of the covenant can be understood as being deeply rooted in the hearts of many people in Reformed communities.

Since its early beginnings, starting with Ulrich Zwingli and continuing with a more intensive enquiry conducted by Heinrich Bullinger, Reformed theology has developed a theology of the covenant, which was then further elaborated in different ways into a “federal theology” in the seventeenth century – its confessional output can, if nothing else, be found in the Westminster Confession of 1648. Also the theology of the Reformed Netherlands is strongly governed by not always exactly identifiable accentuations of federal theology – likewise, the present volume is characterized by discussions centering on the relevance of this theology. In this context, it is exciting and congenial that the conversation between exegesis and dogmatics, like it is programmatically installed in the context of the research group “Research Programme Biblical Exegesis and Systematic Theology (BEST)” of the theological universities of Kampen and Apeldoorn, is brought to bear in this volume as well.

In the first part of my text, I will summarize some observations regarding the contributions to this volume, only touching upon individual articles. In a second part, further deliberations will follow, which are intended to point to the new theological work on the understanding of the terms “covenant” and “covenantal theology,” which has been initiated by the contributions to this volume but is in need of further specification.

1 Reflections

1.1 *Defining the Ratio*

First of all, it is striking that the ratio between the contributions of different disciplines is unbalanced. Eight articles, which are subsumed under the

chapter with the title “Biblical Perspectives,” stand opposed to six articles from the field of “Historical Perspectives” and four from the field of “Systematical Perspectives”; with regard to the number of pages, the first chapter with around 240 pages accounts for more than 50 percent compared to the second and third chapter with around two hundred pages. This becomes even more obvious when looking at the number of contributions which are not “short papers”: seven “main papers” in the first chapter, one in the field of church and theological history, two in the field of systematic theology. This might simply be a matter of coincidence or due to the higher number of people in the field of exegesis; in addition, there are always two subjects involved when it comes to the biblical context: Old and New Testament. Maybe it also simply appears to be beneficial for a Protestant theology to point out to itself the role of the Bible as a guideline – and for that purpose it is thus in need of an illustration of the biblical perspectives. If that was the case, it would surely be very helpful to understand the perspectives derived from biblical exegesis as questions, which are especially addressed at systematic theology.

1.2 *On the Exegetical Contributions*

The diversity of the essays, each of which indicates different dimensions of the term “covenant” and the conceptions of the covenant in biblical contexts, is impressive. With regard to the general statements about the covenant, some obvious similarities can be detected. Basically all contributions primarily understand the covenant as God’s self-determination and therefore as a unilateral self-commitment, so a covenant with unequal partners. At the same time it generally becomes clear that God expects the human being to take the covenant, which was unilaterally established with the people of Israel, respectively the human being, seriously, and that thus an appropriate reaction is intended.¹ The so-called covenant formula “Jahwe the God of Israel, Israel the people of Jahwe,” on the one hand, is a divine self-commitment, on the other hand it encourages the members belonging to the covenant to discharge their duties. According to Gert Kwakkel and others, this rather systematizing description is applicable to some extent but, nevertheless, not complete. For the terminology of the covenant in the Old Testament can be regarded as a lot broader despite the existence of some generally identifiable baselines – the “various meanings ... cannot all be captured in one definition.”² For this reason, he warns systematic theology against a concept of the covenant which, with the term covenant, already understands itself as being supported by the

1 See the article by Koert van Bakkum in this volume.

2 Kwakkel (this volume, p. 37).

Bible. Taking a similar approach, which is reminiscent of biblicism, would consequently mean to not appreciate the diversity of the Bible and to neglect everyone's personal responsibility to think and argue theologically.

In this context it is not difficult for an exegete of the Old Testament to detect warning signs, which will also become apparent in other contributions in the course of this volume: Is federal theology (however precisely it is specified) not a corset which is too tight and is not really able to absorb the biblical basis? But is federal theology thus already a wrong path in itself?

It becomes obvious in several contributions that, with regards to the analysis of "biblical covenantal theology," it is not sufficient only to refer to passages which explicitly address the terminology of the covenant. The specification of the relationship between God and his covenant partners is *de facto* a part of the entire Bible with the Old and New Testaments. Here, the question is who is considered the human covenant partner of God, a question which is simple at first and more complex at second glance. So one can ask whether God's covenant partner in the Old Testament is already the human being (mainly Adam) as such (even if the term 'covenant' does not exist in Genesis 1–3) and if yes, which relation this relationship bears to the covenant with Israel as a people. More principally: How does God's covenant with Israel relate to God's relationship with the Gentiles? The question which can be posed in this context and which is expressed more or less explicitly in a lot of the exegetical contributions is thus: Is Reformed federal theology a helpful key for reading biblical texts – or is it an outsider perspective, which especially neglects the inherent dynamic of texts in the Old Testament?

Arie Versluis commences his essay with the following hint: "Covenant is a central concept in Deuteronomy."³ This very concept is present in the entire Deuteronomistic History – and it illustrates different covenants which are based on God's one will to choose Israel as his people and to not let go: "YHWH's covenant with Israel is rooted in a specific moment in the past. It is re-enacted and recalled in the ongoing present of Deuteronomy and it is open toward the future."⁴ This statement expresses a tendency towards a dynamic structure in covenant theology: Additional new covenants are to be expected because God consistently creates and preserves community with his people. In the context of the Deuteronomistic History, Israel is the crucial partner – and only he is borne in mind; this, however, changes within prophetic literature. Jaap Dekker points out that Deutero-Isaiah, on the one hand understands the new covenant with David as a renewal of the relationship between God and

3 Versluis (p. 79).

4 Versluis (p. 96).

Israel but, on the other hand, already bears in mind the people to which Israel appears as a witness of the covenant.

Attention is thereby drawn to the, also on the part of Christianity, consistently occurring identification of the coming of Jesus Christ with the promise of the new covenant in Jeremiah 31 (cf. Mart-Jan Paul's contribution). Even though the term of the covenant is less frequently used in the New Testament than in the Old Testament, it occurs in the context of prominent text passages as, for example, in the narrative of the Last Supper. Donald Cobb's investigation of Galatians 3–4 concludes that Paul, as a result of his Jewish theological education, understands the covenant as a reasonable theological construct, for "it remains likely that, at the very least, Paul, as a Jew who had discovered the Messiah in the face of Jesus of Nazareth, was firmly convinced that the cross, the resurrection and the eschatological Spirit were nothing less than the fulfillment of God's covenant promises."⁵ But what does this mean with regard to the perception that Israel as the chosen covenant partner of God does not accept the messiahship of Jesus? Is Israel no covenant partner anymore? Michael Mulder concludes in his analysis of Romans 10 that Paul, on the one hand, acts on the assumption of Israel's fall – but at the same time he assumes that God's covenantal loyalty is greater and longer-lasting: being transcended by the Word prevents you from defining the last things.

The exegetical contributions thus hint at the plurality of the theological concepts of the covenant in the Old Testament – and they especially present Reformed theology with important challenges: In which passages does the Old Testament already assume the salvation of the Gentiles? The idea of election, which is widely represented in the Old Testament, correlates with the theology of the covenant. And what about the idea of (double) predestination, which cannot be considered a foreign thought to the Reformed concept of the covenant? Is the permanent election of Israel compatible with the Reformed theology of the covenant?

1.3 *On the Historical Contributions*

The historical essays further elaborate on aspects emphasized in the exegetical contributions. Chun Fai Wan, for example, analyzes the Jewish interpretation of Jeremiah 31. He concludes: "Jewish interpretations treat the New Covenant more as a relationship and not as an abstract theological concept. A continuous bond between Abraham and the current generation rendered new as renewed, not replaced."⁶ Two aspects thereby become apparent: On the one hand, that

⁵ Donald Cobb (p. 179).

⁶ Chun Fai Wan (p. 229).

federal theology, from the perspective of a Jewish interpretation, is thought too conceptually – or in other words: too much as a system with harmonistic tendencies. On the other hand, that the absolute breach of the covenant, which leads to a replacement, is not acknowledged. In this context, the new covenant of Jeremiah 31 is rather understood as renewed, the old covenant therefore as capable of renewal. And also an extension of the covenant beyond Israel is ultimately not acknowledged by Jewish interpretations.

In his text, Daniël Timmerman illustrates the development towards a federal theology. With reference to the early Zurich theology, he demonstrates that in Bullinger's work "*De testamento seu foedere Dei unico et aeterno*" from 1534, "covenant appeared as a description of both the nature of God and as the mode of his revelation to humanity".⁷ Influenced by the work of Leo Jud, the late Bullinger already arrives at a more independent reflection of the covenant concept, which prevails in further discourse. In the "*Catechismus major*" by Zacharias Ursinus, the differentiation between "*foedus naturale*" and "*foedus gratiae*" can be observed – in this context, the integration of the (Lutheran) doctrine of law and gospel into the doctrine of the covenant takes place. However, Ursinus still talks about one covenant of God. At the end of the sixteenth century the English theologian Robert Rollock systematizes the concept of the covenant mainly by means of the explicit integration of the so-called covenant of works, according to which salvation is promised to human beings prior to their fall and based on their fulfillment of the covenant. From a theological perspective this means that the precedence of the law over the gospel has also prevailed in Reformed catechisms – Westminster is not Zurich – but that is where it has its roots. This line is strengthened by Pierrick Hildebrand, who does not yet detect a covenant of works in the work of Bullinger but, nevertheless, some developable approaches.

The fact that this covenant of works has been elaborated broadly and in great detail by Johannes Braun, a student of Cocceius, is shown in the contribution by Matthias Mangold: "By way of perfect obedience to the covenant law Adam was to attain to immutability, that is, enter into a state of confirmed righteousness."⁸ In his essay on Wilhelmus à Brakel, Willem van Vlastuin, however, illustrates the fact that the emphasis on the existence of the covenant of works does not prevent the act of laying the main stress on the theology of grace. In this context, the covenant of grace even becomes the reason for the existence of life in the church: "Interpreting the covenant-character of the

⁷ Timmerman (p. 239).

⁸ Mangold (p. 275).

relationship with Christ yields clarity, steadfastness, comfort, and consistent growth for Christians.”⁹

1.4 *On the Systematic-Theological Contributions*

The systematic-theological contributions also ultimately primarily deal with the question of the Reformed covenant theology coined in the seventeenth century. Arnold Huijgen mentions different enquiries directed to federal theology which address the concept of the covenant – and he ultimately does not understand these enquiries as a rejection but rather as a consolidation and also necessary alteration: “All in all, earlier criticisms of Reformed covenant theology can be countered by biblical resourcing and thoroughly trinitarian theology. Thus, covenant theology need not be speculative, bourgeois or a replacement theology that eclipses Israel. Rather, covenant theology as trinitarian theology stays close to the authoritative biblical history, is eschatological in nature, in ongoing solidarity and unity with Israel.”¹⁰ He concludes that it is possible to justify and locate covenant theology in a more biblical and trinitarian-theological context and also to more strongly emphasize the relation to Israel. In this case, his depictions remain hints but, in my opinion, they draw attention to a crucial systematic-theological question: If federal theology, in whichever form, is supposed to have a future, if a theology of the covenant is not just a Reformed tradition, which could also be described as a burden, but a perspective, which is capable of helping the church and theology of the twenty-first century, it is imperative to work on a covenant theology.

This is exactly what, for example, Hans Burger tries to do in his contribution, in which he carries out the thought experiment of forgoing the covenant of works – with the result that it is generally dispensable: “The conclusion of this article is, that from a systematic-theological point of view, it is quite realistic to have a theology without the concept of a covenant of works. This experiment has not determined whether sufficient exegetical warrant exists for this concept. Exegesis still might falsify this conclusion. Still, if exegesis leaves us in uncertainty, the result of this thought experiment is significant. The ‘covenant of works’ is no indispensable concept.”¹¹ A great number of enquiries, which were directed to the conception of such a covenant of works, have been answered by the disappearance of the problem. But can it simply be regarded as sufficient to forgo the covenant of works without integrating or at least realizing the existent functions of the theologoumenon? In this context – also

9 Van Vlastuin (p. 291).

10 Huijgen (p. 320).

11 Burger (p. 341).

based on the trails left by Burger – it has to be thought further ahead, since clear consequences arise for the Reformed doctrine which has previously taken the covenant of works for granted.

A look ahead is thereby taken. A necessary one. For a theology can never only adopt conventional doctrines without questioning them. Even in cases where they are part of confessions and, for a long time, have served as a basis for proclamation, they are in need of being generally overcome by new insights based on the Scripture. But how does this take place in the case of covenant theology? How can we talk about God's covenant in an appropriate manner which accords with the Scripture?

2 Impulses

2.1 *Why Has Reformed Theology Developed the Idea of the Covenant from the Beginning?*

Since its early beginnings, Reformed theology can be considered a theology of the covenant. Zwingli develops his thoughts with central reference to the idea of the covenant: "For Christ, as it is written, with His shed blood, has again made peace with His heavenly Father, and made an everlasting covenant to come to God through Him."¹² This eternal covenant is realized through Christ's act of reconciliation – and Gottfried Locher rightly expresses the idea that Zwingli preferably describes the "Jesus's sacrificial death ... by the biblical term 'covenant'" and that his act of having made this term "fruchtbar" (fruitful) for theology again can be regarded as one of the great merits of the reformer.¹³ The fact that Bullinger adopted the use of Zwingli's covenant term, which he later on – starting in 1525 – significantly expands, is illustrated by Peter Opitz; in Bullinger's work, the term covenant becomes a comprehensive category:¹⁴ "God's Commitment to Faithfulness to the Community"¹⁵ is aimed at the "Commitment of man by commandment and sacrament".¹⁶ And the fact

12 "Denn Christus hatt uns, wie obstat, mit sinem bluotvergiessen widrumb mit sinem himelischen vatter gefridet, und ein ewigen pundt gemacht, durch inn zuo got ze kumen." Ulrich Zwingli, *Eine kurze christliche Einleitung*, CR 89 (Leipzig: Heinsius, 1908), 662.

13 "Opfertod Jesu ... mit dem biblischen Begriff des Bundes"; Gottfried W. Locher, *Die Theologie Huldrych Zwinglis im Lichte seiner Christologie*, SDGSTh 1 (Zürich: Zwingli Verlag, 1952), 30.

14 Cf. Peter Opitz, *Heinrich Bullinger als Theologe: Eine Studie zu den "Dekaden"* (Zürich: Theologischer Verlag, 2004), 321.

15 "Selbstverpflichtung Gottes zur Gemeinschaftstreue"; Opitz, *Heinrich Bullinger*, 327.

16 "Inpflichtnahme des Menschen durch Gebot und Sakrament"; Opitz, *Heinrich Bullinger*, 329.

that, in turn, John Calvin, since 1539 at latest, centrally integrates Bullinger's emphasis on the covenant into his own theology, is shown by Peter Opitz as well: "Ever since the 1539 version of the Institutes, Calvin widely expounded Bullinger's argument for the doctrine of one covenant."¹⁷

Now, I am not interested in the, in the present volume elaborately reflected upon, relation between the theology of the covenant which was developed in the seventeenth century and the covenant theology of the sixteenth century, but rather in the question as to why Reformed theology – beginning with Zwingli – showed such a strong interest in the covenant. In this context, one can observe, even if maybe a bit rudimentarily, that the approaches of two alternative concepts differ. On the one hand, there is the rather metaphysical-ontological approach of a Thomistic theology. This theology, which is guided by "God's being," is not enough for Zwingli. The, for medieval theology, and therefore also for Thomas Aquinas, natural term of God as "summum bonum" is adopted – but it receives "a totally different accentuation"¹⁸ because the summum bonum is not just regarded as a good being but as an active agent: God is good in a way that he gives himself to the human being in the Christ event.¹⁹ On the other hand, Luther's theology, with its growing focus on the scheme of "law and gospel" and its anthropological focus of soteriology, is not sufficient because it takes a close look at the recipient of grace but only a brief one at the initiator. Luther clearly reflects a lot more on the human being that receives grace than on the gracious God.

Zwingli's approach – and thus also the Reformed one – passes through both of these paths and tries to integrate talk about God on the one hand as well as talk about salvation on the other – and this happens (sacrament-theologically at first, later on a lot more generally) in the context of an approach which is guided by covenant theology. It is obvious that, in doing so, the term covenant does not always need to be used – but often enough it is. Since its beginnings, Reformed theology essentially revolves around the idea that the covenant is the expression of the divine action which affects history: Theology is less interested in the being of God than in the God who acts in history through and together with his creature. Therefore, Reformed theology has become a

17 Peter Opitz, "Scripture," in *The Calvin Handbook*, ed. H. Selderhuis (Grand Rapids: Eerdmans, 2009), 238.

18 "ganz andere Akzentuierung"; Locher, *Theologie Huldrych Zwinglis*, 70.

19 The fact that Zwingli's scotistic modes of thinking have enabled this approach is illustrated by Daniel Bolliger in *Infiniti Contemplatio: Grundzüge der Scotus- und Scotismusrezeption im Werk Huldrych Zwinglis* (Leiden: Brill, 2003). Already Scotus tried to escape the problems of a true ontology in the doctrine of God and to combine it with aspects of the history of salvation.

theology which carefully considers God's history. It could be interesting now to further reflect on Reformed theology on the basis of this parameter and to ask where either metaphysical-ontological accents have been integrated into Reformed theology²⁰ (and have thus maybe altered or even distorted it) or where the integration of the anthropological-soteriological scheme of "law and gospel" has ultimately clearly changed the general intentions of a covenant theology.²¹

2.2 *Covenant Theology and the Doctrine of God*

As previously indicated, it is important for Zwingli to initially underline the infinite distance between God and the human being – and at the same time that in Jesus Christ God himself is there for the human being, that he becomes a part of history and thus changes history and the human being. At its core, covenant theology is – and I initially remain with Zwingli – a doctrine of God. It is the expression of the philanthropy of a God who does not leave his creature to its own devices and thereby accepts its downfall but who gives himself as a simultaneously merciful and just God to the ones who are his. The question as to whether Zwingli interprets God's will to establish a covenant in an infralapsarian manner – the covenant is thus God's reaction to human sin, which ultimately becomes the cause of God's merciful act – or whether he thinks in a supralapsarian way, is – according to Gottfried Locher – a wrongly posed question – at least if it is directed at Zwingli: "The distinction made in a later era fails here and is not in accordance with what is said."²² The idea of the covenant instead means that God is especially perceivable in his historical action in Jesus Christ and thus in incarnation, cross and resurrection.

According to Karl Barth, "this central role of the Christ event in the context of covenant and predestination theology has not always been given its due in (later) Reformed orthodoxy." He definitely judges quite harshly, when he writes: "If in this order the higher authority is the general choice of the Father, and the election of Jesus Christ is only His election in execution of the decree of the Father, if the order is not to be understood as meaning that the divine election is as such the election of Jesus Christ, the passive and active election of the Son of God to be the Son of Man, and in Him the election of those

20 Aristotelianism is "eine allgemein präsente Größe sowohl in den cartesianischen als auch den descarteskritischen Lagern der Orthodoxie." Kai-Ole Eberhardt, *Christoph Wittich [1625–1687]: Reformierte Theologie unter dem Einfluss von René Descartes* (Göttingen: Vandenhoeck & Ruprecht, 2018), 43.

21 Cf. Daniel Timmerman's contribution to this volume.

22 "Die Unterscheidung der späteren Epoche versagt hier und ist der Aussage nicht gemäss"; Locher, *Theologie Huldrych Zwinglis*, 154.

who believe in Him, then it is inevitable that we should enquire concerning the decision of this higher authority, and certainly we cannot be described as elected 'in Christ,' but at very best only 'for Christ.'"²³ His even more clear and analytical critique in *CD IV* culminates in an allegation of dualism, a separation between the eternal election of grace and the Christ event. Now, this is not the place to investigate Barth's critical reflection on Johannes Cocceius with regards to its eligibility.²⁴ But Barth's enquiry into the, for him in the context of Reformed theology not always observable, relation between the doctrine of God (and also God's eternal decree) and the incarnation is important from a theological – as well as a biblical – perspective.

However, it is only adequately understood if one draws attention to a problem which is consistently mentioned in the present volume: What relation does the classical Reformed covenant theology bear to the, exegetically consistently emphasized, permanent election of Israel? Doesn't the covenant with Israel need to become part of a Reformed understanding of the covenant? Karl Barth has articulated his opposition to a dual-covenant theology, which is prevalent in the theology of the twentieth century and which acts on the assumption that there is a separate covenant of God with Israel and a second covenant with the peoples in Jesus Christ. Barth rather also understands the election of Israel as an election in Christ – and therefore there is, according to Barth, only one covenant of God, whose witnesses are Israel and the church alike but in different ways.²⁵

If one acts in accordance with Barth at this point, there are also exegetical consequences: In this case, the Old Testament as a witness of the covenant of God cannot be interpreted and understood within the Christian church without Jesus Christ. Or more precisely: If the church only understood the Old Testament against the background of its context of origin (and thus as a

23 "Wenn die ... allgemeine Wahl des Vaters, die Erwählung Jesu Christi aber nur dessen Erwählung zur Ausführung des väterlichen Ratschlusses ist, wenn die Ordnung nicht so zu verstehen ist, daß eben die väterliche Wahl als solche die Wahl Jesu Christi, die passive und aktive Wahl des Sohnes Gottes zum Menschensohn und in ihm die Wahl der an ihn Glaubenden ist, ... dann sind wir eben doch nicht 'in Christus', sondern bestenfalls 'für Christus' erwählt." Karl Barth, *Die Kirchliche Dogmatik*, vol. 2.2 (Zollikon-Zürich: EVZ, 1953), 121. English translation quoted from Karl Barth, *Church Dogmatics*, translated by Geoffrey William Bromiley and others, vol. 2.2 (Edinburgh: T&T Clark, 1957), 112.

24 Doubts concerning this matter are, for example, illustrated by Willem J. van Asselt, "Covenant Theology: An Invitation to Friendship," *Nederlands Theologisch Tijdschrift* 64 (2010): 1–15; cf. also Rinse H. Reeling Brouwer, "Johannes Cocceius and Karl Barth," in *Karl Barth and Post-Reformation Orthodoxy* (Farnham: Ashgate, 2015), 107–48.

25 Vgl. Eberhard Busch, *Unter dem Bogen des einen Bundes: Karl Barth und die Juden 1933–1945* (Neukirchen-Vluyn: Neukirchener Verlag, 1996), 437–91.

human word, because human beings have written the words), it would read it abstractly. Likewise, the following applies: The one who tries to interpret and understand the New Testament without the Old Testament's testimony of Jesus Christ also understands abstractly. For the discourse between biblical exegesis and this systematic-theological approach this might mean a lot of effort with regards to the disciplines' current mode of operation. Reformed theology in almost all its manifestations in the last four hundred and fifty years sticks to the unity of the Bible, because in the Old and New Testaments it finds neither two different gods nor a complete contradiction in God's understanding testified to. That is why it assumes that there is one single covenant will of God in the whole Bible. A speech of successive covenants is therefore only possible theologically on the presumption of the one covenant. Covenants that come to an end (and thus also an outdated covenant with Israel) immediately raises the question of God's qualities: Does God contradict himself? Ultimately, however, the theological question of qualities can only be answered from the center: From the revelation of the one name. But the revelation of the one name itself is not a static statement, but a plurality that is evident in history. The Bible tells us of the one Word of God, which is Jesus Christ himself, in many ways, especially in the Gospels. And that is why the narrative is also suitable for telling us of the covenant of God, which has been testified to in many biblical voices.

2.3 *Covenant Theology and Anthropology*

Regarding the emphasis on the incarnation of God, it is easily possible to detect differences between the accents of Lutheran and Reformed theology. Whereas Lutheran theology emphasizes more strongly that God became *human*, Reformed theology emphasizes that *God* became human. Lutheran theology thus oftentimes focuses on the lowliness and the continuing sinfulness of the human being. In Reformed theology, an emphasis on the law, which has to be fulfilled (and does not only convict), can be observed.

Who is the human being? God's will is – and now I only roughly summarize – that human being is freed to become God's covenant partner, whose sin has been forgiven. According to Zwingli and John Calvin, the focus lies on the active obedience of the Christian, even though Calvin emphasizes it in this context: "... the greater number are so oppressed with weakness, that hesitating, and halting, and even crawling on the ground, they make little progress"²⁶ Despite these obvious limitations, which emphasize the tremendous discrepancy between the future glory and the imperfection which can

26 Inst. III.6.5.

also be currently experienced, the Reformed tradition, with few exceptions,²⁷ is interested in the thematization of the fulfillment of the law. Not because it ignores or relativizes human sin but because it acts on the assumption that the separation between God and the human being has been overcome. The homelessness of the sinful human being (misery abroad) does not exist anymore because the believers are at home and thus understand themselves as the property of Jesus Christ. In the response to question 60 of the Heidelberg Catechism it is then clearly expressed that consciousness constantly accuses the human being, even though all negotiations have been concluded a long time ago: Perfect gratification, righteousness and sanctification have already been gifted, even if the sanctification is not completed. And on close inspection, he is not a sinner anymore because Christ has borne and overcome all separation. The exegesis of the commandments and the Our Father, which follows in the third section of the Heidelberg Catechism, acts on the assumption that the Christian, being justified and sanctified, can be approached about acts of gratitude: A new creature has come into being, the – if it is allowed to employ this term – “new nature” of the human being is the actual one, even if he does not always act in accordance with the new “being”.

This anthropology is characterized by the fact that it simultaneously asserts the sin and thus the sinfulness of man and cannot be empirically read from the deeds of man. From this, however, follows neither an optimistic concept of man that trusts or expects humanity to save the world, nor a pessimistic concept of humanity which does not trust in the abilities of the human being. The general structure, which is consistently verifiable in the contexts of the Old and New Testament, is also a sign of the election of Israel – they are elected to serve and to witness the glory of God. In his treatise “Die Erwählung Israels,” the Jewish theologian Schalom Ben-Chorin has drawn attention to the fact that the election of Israel can be simultaneously understood as a given preference to this one people but also to its special duty. According to him, the biblical testimony clarifies “that the election of Israel as a pure act of grace should serve the glorification of God, which, however, can only be the case if Israel proves itself worthy of this election.”²⁸

27 C.f. Kohlbrügge, for instance.

28 “daß die Erwählung Israels als reiner Gnadenakt der Verherrlichung Gottes dienen soll, was aber nur der Fall ist, wenn sich Israel dieser Erwählung würdig erweist.” Schalom Ben-Chorin, *Die Erwählung Israels: Ein theologisch-politischer Traktat* (München: Piper, 1993), 29.

2.4 *Covenant Theology and Political Ethics*

Even though, with regards to Johannes Althusius' work, one cannot simply claim the existence of a direct analogy between biblical history and his idea of the sovereignty of the people – for Althusius' natural rights also play an important role²⁹ – one can nevertheless draw attention to the theological and ethical potential, which is illustrated by Althusius' texts. Philip Benedict has illustrated the fact that this potential cannot simply serve as a basis for explaining the development of modern democracy.³⁰ However, based on his perception of the biblical idea of the covenant, Althusius is able to develop a concept of political alliances – he considers them “the best guarantee of the fundamental rule of laws (*leges*) and rights (*iura*) in human society.”³¹

Dealing with current challenges, I am not interested in putting a strain on the political ethics of Johannes Althusius, which takes a look at the pre-democratic state. However, I consider it to be a question and task as to whether a Reformed theology of the covenant is also able nowadays to give new impetus to political ethics to reflect on the relation between law and rights – and in this context also on the different members of the covenant.

3 Final Thoughts

The present volume illustrates innovative possibilities of dealing with the concept and the theology of the covenant in an impressive way. In this context, it is imperative to listen to the biblical testimony and to critically reflect on own traditions. The fact that the different disciplines are able to profit from questioning each other becomes continuously clear in several different contributions: Reformed theology is presented with the biblical, historical and theological challenge to understand and to further develop its own tradition. The doctrine of the covenant has unemployed potential.

29 Vgl. Christoph Strohm, *Calvinismus und Recht: Weltanschaulich-konfessionelle Aspekte im Werk reformierter Juristen in der Frühen Neuzeit* (Tübingen: Mohr Siebeck, 2008), 197–227.

30 Philip Benedict, *Christ's Churches Purely Reformed: A Social History of Calvinism* (New Haven: Yale University Press, 2002), 536–37.

31 “die beste Gewährleistung der grundlegenden Herrschaft von Gesetzen (*leges*) und Rechten (*iura*) in der menschlichen Gesellschaft.” John Witte, Jr., *Die Reformation der Rechte: Recht, Religion und Menschenrechte im frühen Calvinismus* (Neukirchen-Vluyn: Neukirchener Verlag, 2015), 230.

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